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ARCHIVES OF MARYLAND

Published by authority of the State

VOLUME XLII (Assembly Series Volume 20)

PROCEEDINGS AND ACTS OF THE ASSEMBLY (1740-1744)

This volume of the Archives is now ready for distribution. The attention of members of the Society who do not now receive the Archives is called to the liberal provision made by the Legislature, which permits the Society to furnish to its own members copies of the volumes, as they are published from year to year, at the mere cost of paper, presswork, and binding. This cost is at present fixed at one dollar, at which price members of the Society may obtain one copy of each volume published during the period of their membership. For additional copies, and for volumes published before they became members, the regular price of three dollars is charged.

During the period covered by the early part of this volume, Samuel Ogle was Governor. His administration, which had begun harmoniously, ended in acrimonious quarrels with the Lower House. The Session of 1740 was largely concerned with the details of arranging for Maryland's contingent in the British Expedition against the Spanish possessions in America. The right of the Proprietary to Ordinary (*i. e.*, tavern) licenses caused discussions. The Lower House expelled a member, because he had accepted a position under the Proprietary and Ogle promptly prorogued the body. The delegate was reelected and served in the Session of 1741, the last one in Ogle's governorship, during which session the question of arms and ammunition aroused continued dispute.

William Bladen, a native of the Province, came as Ogle's successor and called a new Assembly, which met in 1742. His opening relations with the Assembly were auspicious and Bladensburgh, a new town, was named for him. Provision was made for beginning the construction of a house for the Governor at Annapolis. Worcester County was formed and the project was introduced for a new county in the Western part of the Province. The arms and ammunition bill failed again; but most of the bills introduced passed. Indeed, Bladen agreed to a bill providing for the trial of matters of fact in the counties where they should arise, which act the Proprietary vetoed. Poor debtors were ordered to be released and negotiations with the Northern Indians were authorized. An address to the Proprietary was adopted, offering him a substitute for quit-rents and, as his reply did not come promptly, there was no Assembly session in 1743. In 1744, the attempt to form Frederick County failed again and the first suggestion was made to substitute what became Wicomico County nearly 125 years later. Several acts were passed concerning the parishes of the established church and several temporary laws were revived. The Lower House refused to pass a militia bill or one for the purchase of arms. Bladen was indignant that the Delegates had endeavored to meddle in the Indian embassy and refused to allow them to investigate the expenditures of the tax on tonnage and that on tobacco exported, while the Upper House refused to pay for a Provincial Agent in England, or to exempt vessels owned by Marylanders from taxation. In return, the Lower House refused to appropriate further for the building of the Governor's house. Acrimony had succeeded to the pleasant relations between Bladen and the Assembly.

THE MARYLAND HISTORICAL SOCIETY

INCORPORATED 1843.

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201 W. MONUMENT STREET,

BALTIMORE.

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* Died 22 March, 1924.

CONTENTS.

	PAGE
GENERAL JOHN SPEAR SMITH: FIRST PRESIDENT OF THE MARYLAND HISTORICAL SOCIETY. <i>Bernard C. Steiner,</i> - - -	213
MEMOIRS OF THE REV. JAMES JONES WILMER. <i>Edited by J. Hall Pleasants,</i> - - - - -	220
THE LIFE OF THOMAS JOHNSON. <i>Edward S. Delaplaine,</i> - -	247
DEPOSITIONS IN THE LAND RECORDS, - - - - -	261
EXTRACTS FROM ACCOUNT AND LETTER BOOKS OF DR. CHARLES CAR- ROLL, OF ANNAPOLIS, - - - - -	283
GENERAL WILLIAM SMALLWOOD. <i>Arthur L. Keith,</i> - - -	304
NOTES, - - - - -	306

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MARYLAND HISTORICAL MAGAZINE

VOL. XIX.

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No. 3.

GENERAL JOHN SPEAR SMITH,
FIRST PRESIDENT OF THE MARYLAND HISTORICAL SOCIETY.

BERNARD C. STEINER.

The Society has printed in some one of its publications, some biographical sketch or memorial of everyone of its presidents save one, the first of all, who, chosen at the first organization, continued to direct its activities by successive annual re-elections for a period of more than twenty years and until his death on November 11, 1866. To repair this omission is the object of this brief sketch.

John Spear Smith was the son of the redoubtable General Samuel Smith, and his wife Margaret Spear. He was born on November 27, 1786 and was baptized by the Rev. Patrick Allison, D. D., on January 8, 1787. He later adopted his mother's maiden name as his middle name and became known as John Spear Smith. In Richardson and Burnett's *Baltimore, Past and present*, it is stated that: "while a young man, he prepared, under government auspices, some volumes of valuable research on the commercial relations of the United States." He married Miss Caryanne Nicholas, daughter of Hon. Wilson Cary Nicholas, Governor of Virginia and had the following children: Samuel; Margaret Spear, who married Robert Hill Carter of Redlands, Virginia; Mary Mansfield,

who married Judge Samuel Smith Nicholas of Louisville, Kentucky; John, who married Virginia Kerr; Thomas Jefferson; Robert Carter Nicholas; and Wilson Cary Nicholas.

In the autumn of 1809, he went to Europe to become an attaché in the United States Legation to Russia and was presented to the Czar by John Quincy Adams, the Minister, on December 6. He remained there a year and on December 24, 1810, he took leave of the Czar, and started on a tour of Europe, going to Berlin, Vienna and then to Paris and arriving at London, early enough for Adams to tell the Czar on May 11, that Smith was at that place and was about to be made chargé to the British Court. Being in London at the time when William Pinkney left England in 1811, he was left by Pinkney as his chargé d'affaires and as such presented an introduction to the Marquess Wellesley, Minister of Foreign Affairs, on May 24, 1811. Jonathan Russell, who was administering the affairs of the United States at Paris, was appointed as chargé d'affaires to Great Britain on July 27, 1811, but did not arrive in London until November 12, so that Smith was in charge of the Legation for six months.

He then returned to the United States and acted as a volunteer aide-de-camp to his father in the defense of Baltimore in September 1814. He studied law and was admitted to the bar and, in 1819, was residing on King George Street, near Stilhouse Street in Old Town. In 1822, his law office was on the east side of Gay Street, south of Water Street. He seems not long to have practised law; for in 1824, he is described as a merchant, with an office in the basement of the Exchange Building. About this time, he appears to have given up business and to have removed from the city to his father's estate of Montebello, for his name disappears from the Directory, not to reappear until 1845, and in December 1825 (Scharf, *Chronicles of Baltimore*, p. 419) he acted as a delegate from Baltimore County (not Baltimore City) in a convention to deliberate upon measures best calculated to promote internal improvement of the State. He took part in the militia training and was a

Colonel in 1822 and a General in 1824, a title by which he was generally known. In 1845, we find him residing at 64 West Lombard Street, or Exchange Place, and in 1846, stirred by the Mexican War, he served as a vice-president from the ninth ward at a great war meeting held in Monument Square (Scharf, *Chronicles of Baltimore*, 516). In 1853, he had removed to 156 North Eutaw Street and in 1856 to 23 Hamilton Street which continued to be his residence until his death. He was appointed to arrange for the transfer of the bequest of John McDonogh to Baltimore City. The only public offices he appears to have held were those of member of the Maryland Senate and of Chief Judge of the Orphans' Court, a position which he retained until the adoption of the Constitution of 1864.

At the founding of the Maryland Historical Society, he was chosen President and, thereafter, at each annual meeting, he read a report of the past year's activities. A portion of the first annual report, which with several subsequent ones, may be found transcribed upon the records of the Society, is of such interest as to be worthy of reproduction. On Thursday, February 6th, 1845, he said:

"No State in the Union can boast a more honorable origin than Maryland. The annals of none are adorned with brighter examples of public virtue, exalted patriotism, or an enlarged Christian devotion to the cause of humanity and civilization. None have come forward in the day of peril to more freely lavish their blood and treasure for the common good. The earliest colonists acquired no possession by force. Their course was eminently distinguished by its forbearance, its piety, its severe probity and a generous spirit of toleration. In the war of the revolution, the people of Maryland were foremost in their love of freedom, while the bayonets of their gallant 'Line' were ever present where the danger was the greatest.

"In the adoption of her own and of the Federal constitution her counsels were tempered by wisdom, by the love of well balanced, free government, and by a noble spirit of compromise.

When the laws of the Union were resisted, her well-trained battalions marched with alacrity to uphold them. In the war of 1812, she drove back the invader, rescued her commercial emporium from threatened plunder, and preserved her banner, as when first unfurled in '76, without a stain.

"With such gratifying reminiscences, ought we not, is it not our imperative duty to collect and to preserve every document, or record, or tradition, that can transmit to posterity the legend of so honorable an ancestry and of so much virtue? I may then be permitted to call upon each member of the Society, to be unremitting in the discharge of the high trust we have undertaken. We may now, too, very properly go before our fellow citizens throughout the State and confidently invoke their aid and their contributions. They will thus have it in their power to rescue from destruction monuments of state honor and glory, on which their children will look with just pride, affording at the same time, shining examples for their imitation. Let them not reproach us, in the after time, with having neglected this sacred duty, and with leaving them but few and indistinct memorials of the past.

"In order to obtain all such materials as might aid in elucidating the history of Maryland, and of the other states of the confederacy, a circular address was issued by a committee of the Society, which I beg leave to append to this communication. It were well, perhaps, if the Corresponding Secretary were instructed to transmit a copy of that address to the representatives of the men who took part, either in the early history of the State, or in the war of the revolution. The rolls of the Cincinnati Society, now among your archives, will furnish the names of the latter, and the records at Annapolis, of the former. And, although much has already been irretrievably lost, yet there is ground to hope that there still remain many important letters and precious manuscripts, which may now be reclaimed and preserved. It becomes us to make the effort, as a primary object of our labors, and I would recommend that the Treasurer

be authorized to pay any charge, which may arise from its diligent prosecution."

Subsequent reports were not confined entirely to the work of the Society; but, occasionally, he made a digression so as to praise the bravery of the Maryland troops in the Mexican War, or to deliver an eulogy upon the colonization of Liberia.

The Society, at first, took history in a very broad sense, and, during General Smith's administration of its affairs, made natural history collections and conducted annual exhibitions of paintings and other objects of art. He was active and interested in promoting to a successful completion the construction of the Athenaeum building as a permanent home for the Society, in the consolidation with the Society's library the valuable collections of the Baltimore Library Company, and in carrying to their conclusion those negotiations with Mr. George Peabody, which led to the establishment of the Society's first endowment, the Peabody Fund. He early perceived the importance of publication and, although he did not succeed in securing the printing of volumes of proceedings, yet, while he was president, a considerable number of pamphlets appeared with the Society's imprint. The endowment of the Society was a subject dear to his heart and, in 1854, he prepared an appeal, in the endeavor to obtain gifts for that purpose.

The last meeting at which he was present was that of February 2, 1865. At the meeting held on December 6, 1866, at which John H. B. Latrobe, Vice-President of the Society, presided, the announcement of his death was made and the following proceedings took place:

"Hon. Wm. F. Giles announced the decease of General John Spear Smith, President of this Society, which occurred on the 17th ulto., and offered the following Resolution:

"*Whereas* since the last meeting of the Maryland Historical Society, it has been deprived by death of its President, the late General John Spear Smith, who, elected at its organization,

presided for a period of twenty-one years at its meetings, with unflagging zeal, great dignity and unvarying courtesy, until prostrated by the sickness that terminated his life:

"Resolved, that this Society sincerely regret the decease of its first President, and will ever cherish, with grateful recollection, the memory of his long and assiduous Services, and his constant and efficient attention at all times to its interest:

"Resolved, that a copy of these resolutions be transmitted by the Corresponding Secretary to the family of the deceased."

Mr. John H. B. Latrobe remarked that "before putting the question upon Judge Giles' resolutions, the Chair would say a few words in connection with them.

"In twenty-two years a new generation comes into life and action. This has been the case since the election to office of our late lamented President. The greater number of those now present have been ascending the hill of life, on one side, while he was going down upon the other.

"The Maryland Historical Society was gotten up in 1843 by a few gentlemen in Baltimore, of whom the most active was our fellow member Mr. Brantz Mayer—who prepared the constitution and took those steps which were necessary to make it what it has since become. Its first corporators were, Brantz Mayer, John P. Kennedy, John H. B. Latrobe, Robert Gilmor, John V. L. McMahon, Charles F. Mayer, Frederick Wm. Brune, Jr., Sebastian F. Streeter, John I. Carey, George W. Dobbin, John Spear Smith, Bernard U. Campbell, Wm. G. Leyford, Stephen Collins, Fielding Lucas, Jr., John I. Donaldson, Robert Carey Long, Wm. A. Talbot, S. Teackle Wallis, Charles J. M. Gwinn, Joshua I. Cohen and John S. Sumner. The first meeting was held in the office of the Maryland Colonization Society, then occupying rooms above the Post Office at the N. E. corner of Fayette and North Sts. Its first list of officers was John Spear Smith, president, John V. L. McMahon, vice-president, Sebastian F. Streeter, recording secretary, Brantz Mayer, corresponding secretary, and John I. Donaldson, treasurer.

“The choice of president was a matter of much consideration with the committee appointed to make the nomination. Several distinguished gentlemen were spoken of, but it was feared that none of them had the leisure that was required for the duties of the office. Casting around, the name of General Smith was suggested. He had entered warmly into the plan of the Society. His father was an historical character, whose name was honorably connected with the Revolution, and who in later times, had headed the people of Baltimore and led them then to Howard Park, there to organize to suppress the mob that held possession of the city for a brief space in 1834. His son was well known and highly respected in the community. He had been secretary of legation to the American Minister at the court of St. James. He had acted for a season as *chargé d'affaires*. He was a person of character, education and punctilious refinement, who had the leisure that it was thought necessary. To make him President was linking the Society in a manner with the Revolutionary day. These considerations led to his election as the first president of the Society. Having held the office for more than two and twenty years, he has now just passed away. How well and faithfully he performed all that was expected of him, how constant was his attendance at the rooms when his health permitted, how courteous to the Strangers not less than to the members who invited them, how carefully he watched over the interests of the Society, all who hear me will bear witness. He was a gentleman of what is now called, reverently as the years roll on, “the old school,” whose formality was qualified by a scrupulous observance of the most refined exigencies of social intercourse. We all remember the dignity with which he presided over our meetings, the deep interest he manifested in all our proceedings. He took part in the organization of the Society. He exercised an important influence in the management, afterwards, of its affairs, and he lived to see it permanently endowed by a gift, which it was the last act of his life to place within the immediate reach of those with whom he had been so long and so closely associated. General

Smith's last business act in life was to endorse, the day before his death, the order assigning to the Society the stock in which was invested the Peabody donation.

"Connected with him since the organization of the Society, the chair has thought these remarks due to his memory."

The question being then put on the Resolutions of Judge Giles, they were unanimously adopted, and were, with the remarks of the Chair, ordered to be entered on the minutes of the Society.

The half-length portrait of General Smith, now in the possession of the Society, was presented April 10, 1893, by Mr. Robert Carter Smith in behalf of General Smith's family.

MEMOIRS OF THE REV. JAMES JONES WILMER.

EDITED BY J. HALL PLEASANTS.

Among the books in the library of George Washington, purchased from his heirs by the Boston Atheneum, is a pamphlet, no other copy of which is known to exist, presented to Washington by the author; with the title "*Memoirs by James Wilmer*," published in Baltimore in 1792. This pamphlet seems worth reprinting in the *Magazine*, not so much on account of its rarity, but as the sketch of much of the career of an interesting and picturesque character, and as a glimpse of Anglo-American life in the last-half of the eighteenth century.

The Reverend James Jones Wilmer, the author of the *Memoirs*, was indeed a versatile parson. Born in the middle of the eighteenth century on the Eastern Shore of Maryland of a prominent Kent County family of gentleman planters, we see him sent at a very early age to a rich uncle in England to be educated, where after taking the highest honors in St. Paul's school, London, he enters Oxford, then takes orders in the Church of England, and returning home just before the Revolution, he officiates for over a decade in sundry Maryland parishes, although much of this time is spent flitting between America and England as a claimant to an elusive "fortune," left him by the wealthy English uncle. All this

the *Memoirs* tell us graphically and in much detail, but for reasons which do not seem very clear, the author fails to tell us that it was he who first proposed the name *Protestant Episcopal* for the American branch of the Anglican Church, nor does he explain that the wail against fate which fills the *Memoirs* is in large part due to the storm of criticism which he had aroused by his recent conversion to the doctrines of Swedenborg, or the New Jerusalem Church.

In the years subsequent to the publication of the *Memoirs*, he appears in many roles; as schoolmaster, pamphleteer, newspaper publisher and editor, versifier, litigant, advocate before Washington and the Congress for Swedenborgianism as a national religion, inmate of a debtors' prison, and finally a reconvert to his old faith, again a clergyman of the church he had christened, a chaplain to Congress, and in the final act of his life as brigade-chaplain to the Northwestern Army in the War of 1812, his picturesque career is closed at the age of 63, the victim of shipwreck and exposure while on active duty with his troops in the winter campaign of 1814 on the Great Lakes.

A few introductory words as to the family and the environment which formed the background of the author, will enable the reader to appreciate better the events recorded in the *Memoirs*; and for those in whom the *Memoirs* arouse sufficient interest in the author to wish to follow his career to the end, the editor has added a sketch of the last twenty-two years of his life.

James Jones Wilmer was born in Kent County, Maryland, January 15, 1750.¹ He was the youngest son of Simon Wilmer,² of Sassafras River, Kent, and his wife, Mary Price.

¹ The register of Shrewsbury Parish, South Sassafras, Kent Co., gives the date of his birth as Jan. 15, 1749, but as the *Memoirs* give his age as nine in 1760, and as at the time of his matriculation at Oxford, March 26, 1768, his age is given as eighteen, he was doubtless born in 1750, or 1749/50 under the old calendar.

² The Wilmer family of Kent County is descended from an English armorial family of this name, living in Chigwell, Essex, during the first half of the seventeenth century. The first established ancestor of the family in Maryland was Simon Wilmer (died 1699), who settled near Chestertown, Kent Co. some time before 1680, and married Rebecca, daughter of Dr. Richard Tilghman of the "Hermitage." From their oldest son Simon Wilmer (1686-1737), who married Dorcas Hynson, is descended the elder branch of the family, which has given numerous clergymen, including two bishops, to the Episcopal Church. From the younger son Lambert Wilmer (died 1732), who married Anne Pyner, and removed to the upper part of Kent

This Simon Wilmer was a large landed proprietor and held numerous public positions of importance in Kent. Mary Price the mother of the author was the daughter of John Price of Presteign in the county of Radnor, Wales, whose widow had apparently married as her second husband, the Reverend Hugh Jones, rector of St. Stephen's, Cecil County, Maryland. It was doubtless largely through the latter's influence that the author of the *Memoirs* became a clergyman. Though he was the first of the Maryland Wilmers to enter the church, this family in its other branches later contributed many clergymen to the Episcopal Church.

But let the author now speak for himself.

MEMOIRS; &c.³

There is a tide in the affairs of men which taken at the flood leads on to fortune. There is an ebb also in human events which baffles every effort. How often the one has happened, and how long the other has lasted, with respect to the author of these memoirs, will be viewed by the attentive peruser.

County near the Sassafras River, the author of the *Memoirs* is descended, through Lambert's eldest son Simon Wilmer. This Simon Wilmer, father of the author, was sheriff of Kent from 1738 to 1740; justice of the County Court from 1744 to 1763, being "of the quorum" from 1748 to 1757, and presiding justice from 1759 to 1763; he represented Kent in the provincial assembly in 1762, and died late in 1768 or early in 1769. He married Sept. 17, 1735, Mary Price; the St. Stephen's, Cecil Co. register entry reading: "he was married at St. Stephen's North Sassafras Parish, to Mary, daughter of John Price, deceased, of Comb, in the parish of Presteign in the counties of Hereford and Radnor, Great Britain by me her father in law Hugh Jones, Rector of North Sassafras Parish." It seems certain that "father in law" is here used with the obsolete meaning of *stepfather*, and that the Rev. Hugh Jones had married, probably in England, the widow of John Price.

Simon Wilmer and Mary Price had six children (1) Edward Price Wilmer, born Sept. 25, 1737; died 1774; married Mary Wilson and had 3 children. (2) Mary Wilmer, born Feb. 17, 1738; married William Geddes, collector of customs at Chestertown in 1773. (3) Simon Wilmer, born Aug. 23, 1743; apparently died before maturity. (4) John Lambert Wilmer; born June 8, 1747; died 1799; married Elizabeth, daughter of William Carmichael and had 14 children. (5) Rev. James Jones Wilmer, born Jan. 15, 1749/50, the author of the *Memoirs*. (6) Anne Wilmer born Jan. 18, 1755; does not appear to have lived to maturity.

³ The title page reads: MEMOIRS | By | JAMES WILMER. | *Vehe-*

To give the reader as general an idea as possible, I will start with the first period of my mundane career, which commenced in the Autumn of 1760.

Being the youngest of four sons, I was marked out for trial early in life. My father, though possessed of sufficient landed estate to have made all his children comfortable at home, was tempted from the prospect of advantage, and the paternal wish, no doubt, of advancing the younger branch of his family, to part with me before I had reached my ninth year, to the overtures of a rich uncle ⁴ in England. So great was my partiality for my brother ⁵ next to me in birth, that all persuasion appeared in vain, unless he was allowed to be my companion. Matters being thus settled, we embarked from Col. Loyd's ⁶ on Wye-River, about the beginning of October, on board the ship Sarah, Capt. John Montgomery, bound for London. This veteran commander was with Lord Anson, and was one of those who suffered, during that memorable voyage, the greatest hardships. But vicissitude, instead of blunting his sensibility, had the more inclined his heart exquisitely to feel for others' woe. We were detained a considerable time at York, in Virginia, waiting for a convoy, and it so terminated, that, the very first night we were committed to the ocean, the whole fleet being numerous, was separated by a violent gale of wind, and we were left to the mercy of "time and chance," winds and waves, to make the best of our way to the destined haven. We had tremendous thunder gusts off the coast of America, and one continued scene of restless comfort. Thus, through a boisterous and awful element, we were hourly leaving far behind all that was dear to

menter amor multitudinis movetur ipsa et | opinione. Cicero | [viginette]
| BALTIMORE: | Printed by Samuel & John Adams. 1792.

⁴ Edward Price, the "rich uncle," lived at this time in Aylesbury, Buckinghamshire. He was a brother of the author's mother, Mary Price. He died in the spring of 1774.

⁵ John Lambert Wilmer, born June 8, 1747, who was at this time thirteen years old.

⁶ Colonel Edward Lloyd of "Wye House," Queen Anne's County, Md. This beautiful old place is still owned by the Lloyd family.

us on earth; and as if to consummate our anxiety, we were made prisoners on the fourth of December, near to the Azores, or Western Islands, by a French privateer. Our beloved Captain, and all the crew were separated from us, except one hand, and a young gentleman, who went to make trial of the sea. So situated, we bore up and comforted each other as well as circumstances would admit. After experiencing considerable hardship, the loss of our clothing, and a tedious time at sea, the Prize Master conducted us into Vigo, a Spanish town, where we were landed, and left to shift for ourselves. Fortunately, however, meeting with some English sailors, they directed us to the Consul, who received us with becoming philanthropy, and made a decent provision for our distress. Here we continued rambling about, for the space of six weeks, not knowing what measure to pursue. But providentially for us, the same privateer which had captured us, arrived at this interval of suspense, with our good Captain, and sundry other prisoners, commanders of vessels. Great indeed was our joy! and hope, which had long been clouded, began now to brighten, through that gloom, which had early attended our juvenile adventures. We began to prepare for an extensive journey by land, at this cold season, in an inhospitable clime. We left Vigo on our route to Corunna, from whence an English packet regularly sailed to Falmouth. Mounted on mules, with our guides walking by our side, we moved slowly on through a mountainous rugged country, inhabited by an indigent lazy people. Nothing worth recording occurred, except a view of the renowned church, St. Jago, and baths which were remarkable for their extreme heat. On our arrival at Corunna, we soon after obtained a passage in the packet, and on our way to England, we had nearly been retaken by the French. We, however, safely reached Falmouth, to the no small joy of our various companions in misfortune. Our worthy commander procured carriages, and we proceeded on our journey to London. Strange sight to behold! as if gloom was to be added to recent misfortune. The whole country was in mourning. The king,

George the II, was dead! and every body almost was of sable appearance. Arriving in London, the next thing to be done was to exchange our old tattered garments for suitable apparel, to meet our unknown venerable Relative. Accordingly an interview soon took place. Our arrival was announced, and the old gentleman came from his seat in Buckinghamshire to pay us a visit. He received us with every mark of cordiality and respectful esteem. The time was now appointed when our benevolent Captain was to deliver up his ward to our future friend and benefactor. We shortly set out for Aylesbury, the town in which Mr. Price lived. The Captain anticipating the disagreeable scene that was to ensue, endeavoured to alleviate our grief in his departure as much as possible. But oh, pristine, unadulterated love! how wilt thou burst forth when not polluted with the [preponderancy?] of the world! How were our hearts wrung in being thus separated from our first friend, our tried companion in variegated scenes of misfortune!—Time, however, which softens the stream of the most poignant grief, also in due season, reconciled us to our new abode. So little were the people, only forty-four miles from the capital of England, then acquainted with the American character, that on our first appearance, the streets were ranged, to see of what colour and make we were.

We did not continue long in Aylesbury. The considerate old gentleman had made provision for our mental improvement. Accordingly we were moved about twelve miles distant, to the town of Thame, in Oxfordshire, and placed under the tuition of the Rev. Mr. Newborough, curate of the parish; a gentleman of considerable erudition, and much respectability. We resided in the family of a Mrs. Warner, a lady of as pious heart and accomplished manners, as I ever beheld concentrated in one person. Her estate was considerable, and she lived in a style suitable to her station. The reason we were so fortunate to be domesticated with this amiable woman was, our uncle had served his clerkship with her father, a lawyer of eminence. It was said, and I believe with truth, that the venerable pair,

had, in their youthful days, contracted an unchangeable friendship, and which would have terminated in wedlock, had it not been for the infirm health of the lady. This circumstance induced Mr. Price to send to America for one of his nephews, and myself being the youngest, and a favourite of the Rev. Mr. Jones,⁷ of Cecil, his father-in-law, the lot fell on me, through his recommendation. We continued with Mr. Newborough till we had made some progress in grammar. From his direction we were placed in an academy in Essex, conducted by a Mr. Taylor, at the beautiful village of Wanstead, about seven miles from London, on Epping Forest, adjacent to the elegant seat of the late Earl of Tilney. The park and forest were a delightful range for the boys when freed from school. Here we continued progressive in graceful acquirement and useful learning, for about two years. From Wanstead we were sent to London. My brother being intended for a merchant, directed his pursuits accordingly. I was placed in St. Paul's School,⁸ and had so far advanced in the oriental languages as entitled me to a seat in the fourth class or form of this distinguished seminary. The celebrated George Thicknesse, Esq; was then head master, the Rev. Mr. William Rider, of literary celebrity also, was Sur-Master, the Rev. Mr. Higgins, Junior Master, and the Rev. Mr. Waterhouse, Assistant.

My father now recalled my brother; and here again was another trial of the most exquisite sensibility. My mind was so hurt on the departure of my brother, that it was deemed prudent, for a while, to recruit my broken spirits in the country with my uncle. I returned to my literary charge, and after three or four years application, I reached the eight or highest class, and obtained the first seat in this great and numerous

⁷ Rev. Hugh Jones, rector of St. Stephen's, North Sassafras parish, Cecil Co., Md., was the *stepfather* of Edward Price and of the author's mother, Mary Price.

⁸ St. Paul's School, London, one of the most prominent boys' schools in England. He entered the fourth form Nov. 25, 1763, when thirteen years old, and completed his school course at eighteen, early in 1768 (Gardiner's *Admission Register of St. Paul's School*, London, 1894. P. 125).

school. At about seventeen years of age, I stood for and gained the annual exhibition prize, and was after this, matriculated in Christ's Church College, Oxford,⁹ by the then Sub-Dean, Dr. Moore, now Arch Bishop of Canterbury. Dr. Markham, the present Arch Bishop of York, was at that time Dean of Christ's Church. The Rev. Mr. George Butt, one of the King's Chaplains, was my Tutor. I lectured with and formed intimacies with some of the first dignified characters in England. But I would wish to dwell on these truths as little as possible. They only serve to remind me of my former prospect and present situation. With the vulgar, instead of creating advantages, they serve only to cause ungentlemanly remark.—I well know such things will now little avail; but such days, and such intercourse have I really enjoyed.

I had resided about eighteen months at Oxford, and my uncle, though he always inculcated the good advice of keeping good company, yet, the old gentleman forgot at the same time, that adequate supplies would be absolutely requisite for the circle I was in. At this period I listened to the affectionate letter of my brother gone to America. He acquainted me with the death of our father, and that if I preferred returning to my country, he would in that case comply with a parent's request, which was to relinquish a farm to me in Kent, known by the name of the Old Place.

Circumstanced as I was, it determined me to embrace his offer, and secure an independence. From *this era* my unparalleled trials and vicissitude commenced, without scarcely alleviation or abatement down to the present day. On my return to America, which was with Capt. Falconer of Philadelphia, I dispatched a letter to my brother, announcing my arrival, and followed on to Maryland. My reception was very different from what I expected. My brother had got married and

⁹ The Oxford records show: "James Jones Wilmer, S[on of] Michael [sic] of Kent, Maryland, gent. Christ Church, matric[ulated] 26 March 1768, aged 18" (Foster's *Alumni Oxoniensis*). Note the error giving his father's name as *Michael*.

I was glad to seek an asylum in a sister's family. Her husband, Mr. William Geddes,¹⁰ was kind to me, and assisted me in the following spring to return to England. The old gentleman received me in part, and generously allowed me a maintenance sufficient to keep me above want. From London I retired into Devonshire, not far from the city of Exeter, with a view of keeping up my study. Here I received some of my Oxford acquaintance, and here it was, I missed an opportunity of being advantageously settled.—Such is the life of man, “while he thinketh on his ways, ’tis the Lord that directeth his steps.” Though I might have been wealthy, I might also have been useless; and for wise ends, the Disposer of events, reserved me for vicissitude; and in that vicissitude, as an humble instrument, I trust, to be subservient to his will,—O Lord, how wonderful are thy dealings with thy devoted servants, to bring them into a conformity to thy low and abject state when on earth, in order to exalt them to that glory which thou hast prepared!

I once more landed in Philadelphia; though, prior to this event, I had actually consented, through the interest of Alexander Geddes,¹¹ Esq; to go to India. The plan subsided, and I became the man of leisure in Maryland, living awhile, as many young gentlemen often do, easily and idly among their friends. On my passage to America we had almost been wrecked in the outset. The ship however reached the Tagus, by which event, I had an opportunity of seeing the salubrious city of Lisbon. Here I experienced much civility, and the opulent Mr. Maine was “in need a friend indeed.”

Being at college with Mr. William Eden, now Lord Auckland, it was principally from that incident I returned, and became acquainted with his brother, Sir Robert Eden,¹² then Governor of Maryland. The Governor learning my situation,

¹⁰ The author's sister Mary married William Geddes, who lived in or near Chestertown, and was at one time collector of customs there.

¹¹ Alexander Geddes, a brother of William Geddes.

¹² The author seems to have maintained his friendship with Governor Eden. The Rev. Ethan Allen states that *The Maryland Gazette* refers to Wilmer in 1776 as a guest of the Governor.

generously took me by the hand, and as I was originally educated for the church, he gave me special letters to Dr. Terrick, Bishop of London. In company with the Rev. Mr. Read¹³ of this state, we embarked from Col. Fitzhugh's,¹⁴ on Patuxent, as candidates for the ministry, in the ship Annapolis, Thomas Eden, Esq; commander.

Amidst the various times I have crossed the Atlantic, I never experienced so agreeable a voyage as with this worthy son of neptune. It was our own fault, if we were not as comfortable as a watry residence could possibly make us.

There being no vacancy in the church on my return, with Capt. Eden, an honorable friend, Samuel Chew, Esq;¹⁵ of Chester-Town, enabled me through his pecuniary assistance to visit Philadelphia, with a letter of introduction to the Rev. Mr. Duché.¹⁶ My motive in going to the northward was to improve from an intercourse with the learned clergy, and particularly in the mode of public address, from that inimitable model, the Rev. Mr. Duché.

I was treated with great urbanity by the reverend fraternity, and occasionally I officiated both in Christ's Church and St. Peter's. The venerable Dr. Peters was then rector. Of all expanded hearts, I never experienced a more hospitable one than in this aged father of the church.—His dignified successor is "the pattern also of good works:" and his character seems justly portrayed in that of the first Bishop of the Ephesians.

¹³ The Rev. James Jones Wilmer and the Rev. Thomas Read of Maryland were licensed Sept. 25, 1773, by the Bishop of London (Fothergill's List of Emigrant Ministers to America, 1904. Pp. 51-63).

¹⁴ Colonel William Fitzhugh (1721-1798) of "Rousby Hall," Calvert Co., Md., on the Patuxent River. He was a man of great prominence in the province, and at this time a member of Gov. Eden's council.

¹⁵ Samuel Chew, formerly of Delaware, but at this time of Chestertown, Kent Co., Md. He was afterwards attorney-general of Maryland.

¹⁶ Dr. Jacob Duché was the assistant rector of Christ Church, Philadelphia, and after the death of Dr. Peters became rector. He acted as chaplain to the Continental Congress. There is a story that he, chagrined at Washington's refusal to allow himself to be crowned, went back for a while to England, later returning to Philadelphia, where he died in 1798.

Returning to Maryland and without official employ, I frequently mingled with my friends. On a visit of the kind, I was apprized of the death of my respected uncle.¹⁷ Great indeed was the condolence, and great was announced the change in my behalf. Friends! innumerable friends, expressed their felicity; and people to whom I had heretofore been looked on at a distance, now seemed to approach me with an eye of approbation. The lowly son of the church, who, but yesterday, was marked in his every walk, to-day was welcome without restraint. Merit which never before appeared, was now visible as of gigantic stature. In short, how was it possible for the world to be blind to the merit of a man, who, it was generally believed, had the merit of "Ten thousand pounds, sterling," bequeathed unto him.

In this state of things, I certainly might, as a man of the world, have "struck while the iron was hot."—My views were different. I resolved to embark for England, and receive my estate. I went from New York in the Ship Sampson, in com-

¹⁷ Edward Price died in the spring of 1774. His will, a copy of which the editor of the *Memoirs* has been able to obtain in England, is dated 29th Dec., 1773, and was probated 27th May, 1774. In it the testator describes himself as "gentleman," then of Aylesbury, and requests that he "be buried in the great chancel of the Parish Church of Presteigne, county of Radnor, where many of my ancestors lie interred" and that "a stone be placed over my grave and the graves of Mrs. Elizabeth Pryce and Mrs. Hester Pryce, my aunts and Mrs. Ann Pryce my sister, deceased." After sundry legacies, he bequeaths the remainder of his estate in trust to his friends James Way of Thame, Oxfordshire, gentleman, Thomas Green of Whitehurst, Bucks, gentleman, and Farmer Bull of Aylesbury, gentleman, trustees, to sell and distribute the proceeds as follows, one-third to his nephew James Jones Wilmer, one-third to his nephew John Lambert Wilmer, and one-third in trust for his nephew Edward Pryce Wilmer and after his death for his wife and family and his niece Mary, wife of Mr. William Geddes and her children. The estate of the testator consisted of his house, plate and other "goods" at Aylesbury, and houses and lands in Presteign and other places in Radnor and Hereford. One can form no idea from the will of the value of the properties however. The author's one-third interest in this estate, which he estimated at one time as being worth £10,000, was the "fortune" of which we will hear so much in the *Memoirs*.

pany with several gentlemen passengers. The Rev. Mr. Thorn of Delaware, and a son of Baron Dimsdale's, formed my intimates. Very soon after my arrival, I found how greatly my legacy had been misrepresented, and what was left me, was so much in the power of unworthy trustees, that I should be harassed in the acquirement. London is no place to be without money; and if a man has resources, he can always raise the needful, though sometimes to his ruin, and always to his disadvantage. In this dilemma, and refused every aid by the trustees, from the most frivolous and dishonourable excuses too, I was compelled, through dire necessity, to apply to the money-scriveners. I was the more induced in this business, as I met with a distressed friend in London; who was under extreme difficulties. To him I lent, out of the sum borrowed, the greatest part, and thereby supported him to prosecute a political plan which has eventually placed him high in office, in one of the first courts in Europe. If time has not effaced gratitude from his memory, he ought not to forget such disinterested conduct, and at least to return me what is really and *bona fide* due.

Governor Eden about this time, visiting England, made me promise to return with him or soon after. From the perplexity of my affairs I left London, and went to Paris. Presuming I might never again visit Europe, I was desirous of seeing this famed city, which certainly has many charms. My tour, though in the Winter, through the fortified towns made a pleasing variety, and my return by Chantilly was not less agreeable. At Calais I fell in company with Lord Rawdon, and crossed the channel with him. He was also on his way to America. He expressed his expectation to be back in six months to renew his travels in Italy. I returned with Capt. Coupar to New-York. On our arrival, we found the city entirely in confusion. Nothing but "*bella horrida bella!*"—On another occasion it might be applied—

War is victory, and victory is death!
Which binds in chains the raging ills of life,
That makes us then begin to live.

The news of Bunker's Hill was announced. I proceeded on to Philadelphia, and from thence to my native state. The governor had got back, and I found equal access to his hospitable mansion as ever. Such was the situation of America, and the divided minds of the people, that little else was thought on but the anticipation of war. All things were deranged. The clergy as well as others appeared, as the country really was, in a very desultory, unsettled state. Every man's countenance seemed with the Prophet to ask,—“who will shew us any good?”

Having nothing to do, and some continental money to spare, I made a tour to Boston, and various places in the middle states. I spent much and agreeable time in Philadelphia, with gentlemen of the city, with Mr. Hamilton,¹⁸ Mr. Bingham,¹⁹ the Mr. Tilghmans,²⁰ &c. and several respectable characters from Virginia and Maryland; among whom, was our present worthy chancellor.²¹

Tired with a wayfaring life, I went to Maryland to settle in a Parish, as soon as affairs would admit. Accordingly, towards the close of the war, I was appointed to St. Paul's Church, below Chester-Town. Here I spent many months as usefully, and as happily, as in most periods of my life. But alas! a storm was gathering to ruin my peaceful abode!

The height delights us,
And the mountain top looks beautiful,
Because 'tis nigh to heaven; but we

¹⁸ Probably James Hamilton, a distinguished lawyer and lieutenant-governor of Pennsylvania.

¹⁹ Probably William Bingham (1755-1804), afterwards delegate from Pennsylvania to the Continental Congress, and later U. S. Senator.

²⁰ “the Mr. Tilghmans” were probably Matthew Tilghman (1718-1790) of Talbot Co., Md., then a delegate from Maryland to the Continental Congress, and his brother James Tilghman (1716-1793) of Philadelphia, secretary of the Pennsylvania Land Office. Edward Tilghman (1750-1815), also a member of the Maryland family, the well-known Philadelphia lawyer, was just coming into prominence.

²¹ Alexander Contee Hanson, chancellor of Maryland, 1789-1806.

Ne'er think how sandy's the foundation,
 What storms may batter, and what
 Tempests shake it.

The prospect of recovering my legacy induced me to quit my tranquil residence; and eventually it involved me in much difficulty. Notwithstanding, I vanquished all opposition, and gained my induction in Shrewsbury Parish, Kent county. Here I continued upwards of twelve months; and on my departure, I received honourable testimony of my services. I now obtained letters of introduction from the President of Congress, Mr. Hanson,²² and other members, to the parish of Port Tobacco. On my way thither, at the Susquehanna, I was invited to preach in St. George's Church, Harford. Considerable overtures were made me; and having heretofore formed an agreeable acquaintance in this neighborhood, I was induced to take up my abode. Here I continued for some years. After the death of the Rev. Mr. Thomson, I was solicited to make application for North Sassafras Parish, Cecil county. I obtained my induction in St. Stephen's, and remained there about three years.²³ What I gained in salary, I lost in happiness. Sickness, sorrow and trouble, were never absent from the old parsonage while my family were tenants. At various times we had resolved to move. In this solicitude, letters arrived from England, announcing the long-looked-for settlement of Mr. Price's estate, and that "my balance would exceed

²² John Hanson, of "Mulberry Grove," Charles Co., Md., President of the Continental Congress.

²³ While the defective condition of the parochial records for this period makes it impossible to determine the exact dates of Wilmer's rectorships referred to in the *Memoirs*, the following list and dates seem to be substantially correct:

St. Paul's, Kent Co., 1779, "some months."

Shrewsbury, South Sassafras Parish, Kent Co., 1779-1780, "upwards of twelve months."

St. George's, Harford Co., (probably also including St. John's), 1781-1786, "some years."

St. Stephen's, North Sassafras Parish, Cecil Co. (probably also including Augustine Parish, Cecil Co.), 1786-1789, "about three years."

a Thousand guineas." This welcome account was frequently repeated. Such good news, from such *undoubted authority*, determined us to seek a healthy spot. We became resident in a little retreat adjoining Baltimore. Here I expected to receive my legacy; and after some claims were exonerated, with the balance, to fix on a small farm. In this expectation I waited many months, and no settlement arriving, it was determined, that the possession of "a Thousand Guineas" was worth a personal risk. I embarked from Baltimore for London. On my arrival, I soon discovered how matters were situated, and that through the whole of the business, I had only been made the convenience to a junto of knaves. A former publication gave some account of what I experienced; and the original papers, now in the hands of Zebulon Hollingsworth, Esq; will bear testimony to my pretensions, and convict the culprits in any court of equity. The mysterious job is still kept in perdue by them. A mock-settlement, from an extorted signature in the hour of extreme distress, is the only pretext the workers of iniquity can possibly have to offer in their defence. If through a pretended friendship, I have been basely robbed of the last Guinea, and wantonly involved in accumulated difficulty, that Being, who has conducted me in many "a hair-breadth escape," may yet carry me through the latest vicissitude. On him I cast my sole dependence. By him I have never been forsaken!

Great Master of the World!

Whate'er thy gracious will directs,

Behold my steps, with cheerful

Resignation turn.

I have now done with a sketch of my life, from my earliest years down to the present era of my multiplied trials. In the course of my earthly travels, I have had vast vicissitude. No man more so, who has not been longer in the world than myself. Through honour and dishonour, through evil report, and through good report; and frequently have I been left without a witness, save only the monitor within. I have been charged

with things to which I am an utter stranger, and pursuits, at which my nature revolts.—An enemy to my country! A disturber of society! An innovator in religion! All which I solemnly deny, and call on my bitterest enemy in the world to produce a single charge of moment that I can not confute, and set, from authentic statements, in a clear point of view. Universal benevolence has been the leading principle of my life: and “to do good and to communicate,” I hope, I have forgot not. While, defamed from all quarters, others have been enriching themselves, my penury bespeaks my disinterestedness; and the records of public gazettes, for years back, will bear testimony to my endeavours. I venture to assert, that few have communicated more, and as various, on useful subjects. I have, in some small degree, been the humble and unworthy instrument in this quarter, of laying the corner-stone of universal unity to my country.—I feel my imperfection, and blush at my nothingness,—but the philanthropic Bishop of Exeter, in his sermon on the progress of religion, remarks, that, “Events the most removed from human views are often brought about by instruments which appear the most unlikely to produce them, and at times, when they are the least expected to happen.”

My late public communication on the most holy and undivided *Trinity*, I am persuaded is founded on a rock: Or, why do not the better informed come forward, with that manly investigation which ought ever to mark the liberal mind, and confute the doctrine, if dangerous and erroneous?

As some tall cliff, that lifts its awful form,
Pierces the clouds, and midway leaves the storm;
Tho round its base some billows rude may spread,
Eternal sunshine settles on its head.

And, if it be asked, for what purpose doth such a publication as *this* proceed? I answer, to place my character in a situation to be cleared from unmerited aspersion; especially, since my unchangeable creed with the apostle, that Jesus Christ *alone* is “the true God, and eternal life.”—To tell mankind at large,

that popular opinion may some time be governed by misrepresentation—to remind my sweet infants, that their father has done nothing to dishonour them; and if they are left in a state of mundane indigence, that it proceeded not from the want of his zealous exertion; but from the obduracy of unfeeling and unjust relatives, from a world which amidst all its refinements, ought not to forget, that gratitude is a tribute inseparable to those, who, on the altar of boundless philanthropy, have sacrificed the weighty consideration of self-ease and private emolument.

What is religion? 'tis to love
Our God with all the heart;
In charity with all men prove,
And good to them impart.

FINIS.

The Memoirs bring the career of the author down to the year 1792, and although they end in a wail against fate and the injustice of criticisms then directed against the author, as "An enemy to his country! A disturber of Society! An innovator in religion!," the reader is left in the dark as to the origin of the charges against him. But of this later. Nor is any mention whatever made of his marriage which took place in 1783.

The omission which is to be first noticed, however, is his failure to make the least reference to the one act in his clerical career which will always preserve his memory in the church of his birth.

Adrift as the result of the political separation from Great Britain, the clergy of the established church in the colonies, were during the Revolution in a peculiarly anomalous position. Recognition of any allegiance to the Anglican Church as such, at once brought against them the charge of disloyalty to the American cause. A policy of drift held sway in all the colonies, until in the autumn of 1780, a small group of clergymen and laymen from the neighboring parishes on the Eastern Shore of Maryland met at Chestertown in Kent County, and took the first steps towards the organization of an independent American offshoot of the Anglican church. With the details of this convention, held November 9, 1780, we are not here concerned. The Rev. James Jones Wilmer, then rector of

Shrewsbury Parish, Kent, was its secretary, and conspicuous in its activities, and the records of its meetings show that "On motion of the Secretary, it was proposed that the Church known in the province as Protestant be called 'The Protestant Episcopal Church,' and it was so adopted (*Journals of the Conventions of Maryland 1780-1818*, pp. 8, 9). In a letter dated May 6, 1810, from Wilmer to Bishop Clagett, of Maryland he writes "I am one of the three who first organized the Episcopal Church during the Revolution, and am consequently one of the primary aids of its consolidation throughout the United States. The Rev. Dr. Smith, Dr. Keene and myself held the first convention at Chestertown, and I acted as secretary. . . . I moved that the Church of England as heretofore known in the province be now called the Protestant Episcopal Church and it was so adopted" (*ibid.*). The name chosen by the Chestertown convention was later adopted by the American church at large. Because at the Chestertown convention one of the clergymen was the Rev. William White, afterwards Bishop White of Pennsylvania, and the first bishop of the American church, some of the admirers of this distinguished clergyman have claimed that White was probably responsible for the name, and that Wilmer merely proposed it at White's suggestion. It seems unnecessary to state that there is no evidence in support of this, and the theory was probably first advanced when Wilmer was later in bad odor as a result of his lapse from orthodoxy to Swedenborgianism.

And now as to the charge against our author that he was "an innovator in religion." Just when Wilmer became interested in the doctrines of Swedenborg, we cannot be certain, but it was probably during his visit to London about two years before the appearance of the *Memoirs*, when after giving up his charge at St. Stephen's, Cecil County, he went abroad again in pursuit of his "fortune" in the summer of 1790; for we learn from an advertisement in the *Maryland Gazette & Baltimore Advertiser* for June 11, 1790, that he was then about to sail on the "Sampson" for England, and it was not long after his return that he gave notice in the October 18th, 1791, issue of the same newspaper of the forthcoming publication by him of "*A Discourse on the Federal Church as lately first commenced in the Town of Baltimore, by James J. Wilmer, formerly of Christ Church College in the University of Oxford . . . inscribed respectfully to the Right Reverend the Bishops, the Presbeters, Elders etc., etc. of the various Churches in Confederated America.*" If there is any doubt as to the character of the proposed Federal Church, it is set at rest by the title of

a sermon which he preached a few months later, and which had appeared in pamphlet form shortly before the *Memoirs* were published: *A Sermon on the Doctrine of the New Jerusalem Church: being the first promulgated within the United States of America. Delivered on the first Sunday in April 1792 in the Court House of Baltimore Town by James Wilmer.*" etc., etc. This was followed by another sermon preached on the 22nd of April with the startling title "*Consummation or an end of the Old Church and Old Government Generally.*" Other pamphlets of a similar tenor followed. Perhaps we have in these titles a clue to the charges against him of being "an enemy to his country, a disturber of society!" as well as "an innovator in religion."

Wilmer makes the definite claim, and there seems to be little reason to question it, that he was the first in America to preach the doctrines of Swedenborg, or the New Jerusalem Church, in his Baltimore sermon of April 1792. A rather remarkable record for a Maryland country parson—to have renamed the most prominent church in the colonies, and a decade later to have been the first to preach the doctrines of a new creed.

Naturally the apostasy of a prominent Episcopal clergyman produced much ill feeling in his own church, but this was as nothing compared with the veritable hornets' nest which was stirred up by his advocacy of what nearly all Americans looked upon as a hated thing—a national church of any kind—a thing made all the more odious by the proposal to adopt as the national religion, a new cult then generally looked upon by the older faiths as little better than witchcraft. For it must be remembered that in the year 1792, the doctrines of Swedenborg had only been definitely formulated into a "religion" by his followers in London some four years before. But it is not to be supposed that Wilmer was satisfied to carry on his propaganda for the "New Church" merely with sermons, pamphlets and newspaper advertisements. He carried his campaign to Washington himself. Among the Washington manuscripts in the Library of Congress are three communications addressed to Washington through his secretary Tobias Lear by Wilmer. Although the formal "Address" is signed by H. J. Didier as secretary protem; like the two others it is in the handwriting of Wilmer, and is as certainly his composition. Among the books listed in the letter of February 5th, 1793 as having been mailed that day to Washington is a copy of our *Memoirs*, which explains its presence in the Boston Athenaeum. These manuscripts seem worth reproducing. Washington's letter acknowledging the receipt of the "Address" is printed in the *Maryland Journal* of Feb. 5, 1793.

Sir,

Allow me through the medium of you to present the enclosed to His Excellency.

Apologizing for the Liberty assumed, I have the honor to subscribe myself, with every Sentiment of respectful esteem,

Sir,

Your most obt^h humb. Serv^t

Baltimore, Jan^y 22, 1793.

James Wilmer.

Tobias Lear Esq^r;

N. B. Mr Didier, to whom you will address, if necessary, is a very respectable merchant of Baltimore.

An address to George Washington Esquire,

President of the United States, from the Members of the New Church, at Baltimore.

Sir,

While the nations of the Earth, and the People of united America especially, have in their various Denominations paid the Tribute of respectful deference to the illustrious President thereof, permit Sir, a Society, however small in number, yet sincere they trust, in their attachment, to offer up, in the dawn of their Institution, that mark of dutiful esteem, which well becometh new associations, to the chief magistrate of America.

We presume not Sir, to enter into a reiterated Panegyric of matchless virtues or exalted character, but assuming causes with effects, we are led to believe, that you were a chosen Vessel for great and salutary purposes, and that both in your actions and in your conduct you justly stand one of the first disinterested and exemplary men upon Earth: neither in this address can we, was it expected, enter into a detail of the profession of our faith, but we are free to declare, that we feel ourselves among the number of those who have occasion to rejoice, that the word literally is spiritually fulfilling: That a new and glorious Dispensation, or fresh manifestation of Divine Love hath commenced in our Land; when, as there is but

one Lord, so is his name becoming one throughout the Earth; and that the power of Light, or Truth and righteousness, are, in an eminent degree, universally prevailing and even triumphing over the powers of Darkness; when Priestcraft and Kingcraft those banes of human felicity are hiding their diminished Heads, and Equality in State as well as in Church, proportionably to merit, are considered the true criterion of the majesty of the People.

Oh Sir! could we, without being charged with adulation, pour out the fulness of our souls, to the enlightened conduct of him, who stands chief among the foremost of men, what a Volume of Truth might we deservedly offer, to the name of Washington, on the Altar of Liberty uncircumscribed!

Allow us, by the first opportunity, to present to your Excellency, among other Tracts, the Compendium of the new Church, signified by the New Jerusalem in the Revelation, as the readiest mean, to furnish you with a Just Idea of the heavenly Doctrines.

That the Lord Jesus, whom alone we acknowledge as "the true God and eternal Life" will preserve you long to reign in the Hearts of the People, and lastingly to shine as a gem of the brightest lustre, a Star of the first magnitude in the unfading mansions above, is the fervent aspiration of your faithful Citizens and affectionate Brethren.

Done in behalf of the Members of the
Lords new Church at Baltimore, this
22 Day of —Jan^y 1793—37.

Test,

H. J. Didier

Sec^y pro tem:

Baltimore, Feb^y 5, 1793.

Sir,

Your polite attention demands our warmest gratitude. By this day's mail is sent a packet to his Excellency, which, I hope

will arrive in due order. The Baltimore Journal of today is enclosed. Allow me respectfully to solicit your attention to the following ode, for Monday next, in one of your Gazettes; no seasonable opportunity offering here, will plead for the freedom assumed. I have the honor to be, Sir,

Your very obliged, and most obt^t humb. Serv^t

James Wilmer.

Tobias Lear Esq^r;

The Man of the People: Born Feb^y 11, 1732.
From the New Church.

Behold! the year returns our Son
Of Freedom, matchless Washington!
Let music sound from pole to pole,
He's welcome to each patriot soul.
Welcome, welcome, welcome, welcome
Welcome to each patriot soul.
Hark! hark! and hear Columbia's song,
Recount her matchless Washington!
Divinely sweet the accents roll,
He's welcome to each patriot soul
Welcome &c.
Welcome to each patriot soul.

Freemen! attune the noble lay,
George, the Hero's born to day:
Peace and Freedom, both our own,
Cheer'd by the smiles of Washington!
Let music sound from pole to pole,
He's welcome to each patriot soul.
Welcome, welcome &c.

Baltimore, Feb^y 1793.

List of Books sent His Excellency by this days mail

- 1, Copy of the new Church Liturgy &c.
 - 1, D^o J. Wilmer's Sermon on opening the new Church.
 - 1, D^o Life of Swedenborg
 - 1, of the 9 Questions
 - 1, Memoir by J. Wilmer
 - 1, on the Lord's prayer.
 - 1, news paper of to day.
-

It would be interesting to be able to record the outcome of the author's quest of the elusive "fortune," which like a will-o'-the-wisp had so often led him to and fro across the Atlantic. In the summer of 1791, he seems to have written a pamphlet denouncing his nephew Simon Wilmer a Baltimore merchant, son of his brother Edward Price Wilmer, accusing him of conspiring with the other trustees of the estate of his uncle, Edward Price of England, to defraud him of his share of the estate. No copy of this pamphlet has been found. The nephew defended himself in the columns of the *Maryland Journal* for July 29th, 1791, and the parson again rushed to the attack in a vitriolic rejoinder in the *Maryland Gazette* for August 2nd. The last shot in the campaign seems to have been fired in the September 21st, 1792, issue of the latter paper, when the parson announces that he is about to institute proceedings before the Chancellor of Maryland to require an accounting from his nephew and the other trustees. This is the last we hear of the "fortune," which it seems probable was from the first greatly overestimated, and certainly had a most unfortunate influence upon the career of our author. Of the merits of this dispute with his nephew, we have no means of judging.

During the period when Wilmer was suffering from what might be called acute Swedenborgianism, he seems to have made strenuous efforts to support himself and his family as a schoolmaster. Lengthy advertisements appear in *The Maryland Gazette and Baltimore Advertiser* for August 15th, November 29th, and December 6th 1791, of a school for boys to be known as the Fells Point Academy, to be opened on the first Monday of January, 1792. He describes himself as "formerly of Christ Church College, Oxford" and as for "ten years an officiating clergyman in the state of Maryland." Apparently the Fells Point Academy did not flourish, for he

announces in the *Maryland Gazette* in a letter dated June 6th, 1793, that he was then about to leave Baltimore, and fires a farewell shot at his enemies, that he still believes in a "Trinity of Person and not in a Trinity of Persons," whatever this may mean. The same newspaper in its issue of July 5th, announces that he is about to open "A new Seminary" in Charles Town, Cecil County, but there must have been a rapid change in plans, for the issue of August 6th, announces the opening by him in Harford County, of the Havre-de-Grace Academy, in that town on the 12th of August. There is reason to believe that this last venture was little more successful than the Fells Point Academy, for he seems to have remained in Havre-de-Grace only a year or two. It is uncertain whether or not he was still there when he advertises in the *Maryland Journal* for January 13th, 1795, a new pamphlet, *Mr. James J. Wilmer's reply to Mr. Thomas Paine's Age of Reason*. This was doubtless his *Consolation: being a Replication to Thomas Paine and others on Theologics*. By James Jones Wilmer of Maryland, a pamphlet of eighty pages, which had been published in Philadelphia in 1794. In 1796 he published in Baltimore in pamphlet form, his *Address to the Citizens of the U. S. on National Representation*.

Wilmer had certainly returned from Havre-de-Grace to Baltimore, when in the April 14th, 1796, issue of the *Maryland Journal* in a long prospectus, he and William Pechin announce "Proposals for Printing a New Paper to be entitled *The Eagle of Freedom*." The first issue of this triweekly probably appeared July 4th, 1796, judging from the date of publication of later July issues which have been preserved. *The Maryland Journal* for August 13th, announced the dissolution, August 1st, of the partnership of "Pechin & Wilmer," and adds that *The Eagle of Freedom* has "been given into the hands of James Wilmer." How much longer the paper was continued we do not know, but it was probably short-lived; the last number that has been preserved is that of July 27th. Wilmer's partner in this venture, William Pechin, a few years later became the owner of *The Baltimore American*.

After *The Eagle of Freedom* ceased publication, Wilmer does not seem to have remained in Baltimore, as we can find no trace of him here for the next two years. According to a manuscript note by the Rev. Ethan Allen, Wilmer, wearied of Swedenborginism, applied in 1798 for reinstatement in the Episcopal Church, and in 1799 was restored to the ministry by the Bishop of New York. It must have been almost immediately after this that he became rector of "Old Swedes" or Holy Trinity Church, Wilmington, Delaware, as

he applied to the vestry, Feb. 23, 1799, producing his credentials, and was in charge at least until towards the end of that year (*The Records of Holy Trinity, "Old Swedes," Wilmington*, pp. 353, 532). From here he went to St. John's, Baltimore County, the vestry proceedings showing that he was in charge from some time prior to May 1800, down to December 1802, his pastorate apparently also including St. James Church on "My Lady's Manor." It is uncertain whether he was in charge of a parish in 1803, although at the date of his remarriage, March 25, 1803, he is still referred to as of Baltimore County. This same year he published in Baltimore his, *Man as he is and the world as it goes. Study Nature. . . Up to Nature's God*, a pamphlet of 69 pages. He was on the wing again the next year, for in the *Federal Gazette and Baltimore Daily Advertiser* for September 17, 1804, he announces his return to town, and his desire that his friends should assist him in placing his two sons "in such callings as Providence may direct under the fostering care of its citizens." A very unfortunate bit of publicity, as it gave certain old creditors a long sought opportunity to press their claims in a most unpleasant fashion, for the issue of this same paper for September 25th, contains "An Address to the Public," by him, dated September 22nd from "The Baltimore prison house" addressed to "other ministers" and to "friends of science" pleading for their assistance in securing his release and restoration to his "helpless little children," with expressions of regret that he has been unable to meet these "claims he always wished to satisfy." What these claims were we do not know; possibly they were the outcome of his unfortunate venture several years before into journalism with *The Eagle of Freedom*. He was probably released soon afterwards. In 1806 he published anonymously *The American Nepos*, a volume of 384 pages, written in 1805, containing biographical sketches of some eighteen men who had contributed to the settlement or independence of America.

Little is known with certainty of Wilmer's career during the next few years. Dr. Allen's notes state that he was rector in 1805 of Paint Chapel, Prince George's Parish, Montgomery County, near Washington. He seems to have gone from here to Virginia, for Dr. Allen quotes Bishop Clagett as writing in 1810 that Wilmer had returned to Maryland "after an absence of several years." The diocesan records of Virginia for this period are very defective, and give no clue as to his whereabouts. For some years, between 1803 and 1813, Wilmer was chaplain to Congress. In his obituary notice it is stated that he was chaplain of Congress for

thirteen years, but this is certainly an error, and should probably read *three* years. *The Debates and Proceedings of Congress* show that he was elected by the Senate May 24, 1809, as one of the chaplains of Congress, and as no successor was elected until June 1813 by the Senate, it would appear that he held this position until his appointment as an Army chaplain, May 20, 1813. It is quite possible that he had charge of a parish in Virginia near Washington, and at the same time held a chaplaincy to Congress, which at this time had two chaplains, serving alternately in the Senate and House.

Dr. Allen's notes say that he was in Havre-de-Grace in 1809. It seems probable that our wanderer looked upon this place as his home and that of his children, as the official records of the Navy Department show that orders to his son Lieut. James Phillips Wilmer were addressed to Havre-de-Grace from 1802 to 1809.

The closing chapter in Wilmer's career begins with his appointment as chaplain in the United States Army, May 20, 1813. The records of the War Department show that he served in the War of 1812 from this date until April 14th, 1814, the date of his death. A rather graphic account of the events leading up to his death, while serving as brigade chaplain with the Northwestern Army, in the campaign on the Great Lakes, is to be found in this obituary notice, copied in contemporary local papers from "The Ohio Vehicle" of Xenia, Ohio:

"From Detroit. Extract of a letter dated April 24 [1814]:

On the 14th instant, the Rev. James T. Wilmor, brigade chaplain in the North Western Army, died in this place after a lingering and painful illness. The loss of this good and venerable old man will be severely felt by his relatives as well as his country. He was cast away in a small vessel which was run along the Chippeway in October last. This vessel was run ashore at an Indian settlement about 22 miles below Malden, but fortunately for the passengers and crew, the Indians had run off upon the appearance of the American Army. Mr. Wilmor was for 13 years chaplain to Congress. Since he was ordered to join the Army, he took notes of the most important events, which if properly understood and explained, will remain a standing monument to his abilities. These notes, it is said, he had desired, should be sent to the seat of government."

A fitting ending to a stormy career!

All efforts on the part of the editor to trace these "notes of the most important events" of the campaign, have unfortunately been without success.

James Jones Wilmer married twice. His first wife was Sarah Magee (born about 1764), daughter of Daniel Magee, "gentleman," of Baltimore (now Harford) County, and his wife Sarah, daughter of James Phillips, and widow of Edward Hall. Nothing is known of the antecedents of Daniel Magee, who lived only a few years after his marriage, but the Phillips family of Harford was wealthy and prominent. By his marriage with Sarah Magee, which took place May 21st, 1783, while he was rector of old St. George's, Wilmer had at least five children. After the death of his first wife he married secondly, by licence dated March 18, 1803, Mrs. Letitia Day, widow of Dr. William Fell Day of Baltimore County, by whom he does not appear to have had any children. His children by his first wife were:

(1) Lieut. James Phillips Wilmer. Born August 13, 1785. Appointed Midshipman U. S. Navy, December 27, 1802; lieutenant Feb. 16, 1809. Served on the *Nautilus*, *Constellation*, *Constitution* and *Essex*. Killed in action on the *Essex*, Mar. 28, 1814, near Valparaiso.

(2) Emanuel Wilmer. Not traced. Tradition says he served in the Army and died when a young man.

(3) Edward Wilmer. Not traced. Tradition says he served in the Army and died young.

(4) Mary Anne Wilmer. Married June 26th, 1817, at St. Paul's Baltimore, Griffin Stith of Virginia.

(5) Sarah Phillips Wilmer. Born Nov. 11, 1789. Died Apr. 30, 1857. Married August 18th, 1808, her first cousin James Phillips, son of James Phillips and his wife Martha Paca. He died February 1812, leaving an only daughter James Martha Phillips. Mrs. Sarah Phillips (Wilmer) Phillips married secondly Francis Johnston Dallam of "Cranberry," Harford County, by whom she had issue (a) Sarah (b) James Wilmer (c) Mary (d) Elizabeth (e) Edward Boothby (f) Henry Clay.

The next issue of the *Magazine* will contain a bibliography of the writings of the Rev. James Jones Wilmer.

THE LIFE OF THOMAS JOHNSON.

EDWARD S. DELAPLAINE.

PART SIXTEEN.

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CHAPTER XX.

THIRD TERM AS GOVERNOR.

"You will hear I am in my way to Georgia; give me leave to take my farewell, and in the mean time to beg for the continuation of your kindness for my Legion. . . . The Capt. Segond who stay behind, is desired to return you thousand thanks, and let you know all the chagrin, and sorrow I had of having not the honour to see your Excellency."

Count Pulaski, Farewell Message to Johnson, April 10, 1779.

"Cet arrangement est une nouvelle preuve que cet Etat donne de son attachement à l'Alliance et de son zèle pour tout ce qui peut interresser la Cause Commune ainsi que le bonheur et le salut des sujets respectifs. Une conduite semblable ne peut que fortifier de plus en plus la parfaite confiance que toute la conduite de l'Etat dont Votre Excellence est le Chef a déjà inspirée à sa Majesté et j'ose m'en rendre le garant auprès de vous."

—*Conrad Alexandre Gérard, French Ambassador at Philadelphia, to Johnson, August 21, 1779.*

"The prudence, assiduity, firmness and integrity with which you have discharged, in times the most critical, the duties of your late important station, have a just claim to our warm acknowledgments and sincerest thanks."

Legislature's Address of Thanks to Johnson, November, 1779.

When the Maryland Legislature reconvened in October, 1778, it became apparent that Thomas Johnson would again receive the unanimous call of the State to continue as Chief Executive. On the 9th of November, Mr. Johnson was reëlected without opposition and, for the third time accepting the office as a sacred trust, qualified at a joint meeting of the Senate and House of Delegates. On the following day, the members of the Governor's Council—James Brice, Daniel Carroll, Edward Lloyd, James Hindman and Thomas Sim Lee—were reëlected by the General Assembly.

During his third term as Governor, Johnson continued to receive from the Commander-in-Chief frequent appeals for help. The first of these appeals was an urgent call for 500 Militia to guard the Convention Troops in their march through the State of Maryland. It appears that Congress, while ratifying the Convention of Saratoga, refused for certain reasons to allow the men who served under General Burgoyne to return to Europe; and General Washington made arrangements to keep them in the South until Congress authorized an exchange. The British captives were taken as far as North River by an escort of Connecticut Militia, to Delaware by Continental soldiers, and to the border of Maryland by Pennsylvania Militia. On November 18, 1778, General Washington—stationed at Fredericksburg, about thirty miles from West Point—sent a request to the Board of War to provide for an adequate guard in Northampton, Berks, Lancaster and York Counties, in Pennsylvania; and to make “the like requisition to Gov^r Johnson of Maryland for an escort of Militia and supply of Waggons thro the County of Frederick in that State.”¹⁴⁹

Hoping to locate the prisoners in a secure place before the arrival of severest winter weather, General Washington requested the Board of War to expedite the journey as much as possible. “I could wish,” said the Commander-in-Chief, “that no time may be lost in giving the orders lest there should be some unnecessary delay on the Road at this advanced Season.” However, the requisition from the War Office did not reach Annapolis until the 4th of December; and Governor Johnson feared that the Convention Troops would reach the Maryland line before the Militia was ready. The Governor forthwith notified Colonels Charles Beatty and Normand Bruce to collect *posthaste* 500 men to guard the marching prisoners.¹⁵⁰ An immediate order was also sent to Baltimore for a shipment of muskets, bayonets and cartridges to Frederick. In this way the Governor quickly started the military machinery in opera-

¹⁴⁹ XXI *Maryland Archives*, 254.

¹⁵⁰ *Ibid.*, 258.

tion, and Burgoyne's men were safely guarded in their journey from Pennsylvania to the Potomac.

In the meanwhile, Sir Henry Clinton had despatched about two thousand troops to the extreme South—here the patriots were weak and the Tories strong—and on the 29th of December they commenced the conquest of Georgia. After two years of warfare in the North, the British had accomplished practically nothing. And when the people of Maryland on the 30th of December, in accordance with a Proclamation of Governor Johnson, observed “a day of public Thanksgiving and Praise,”¹⁵¹ they realized that while the States were struggling against tremendous odds, yet the positions of the opposing forces at the close of 1778 were virtually the same as in 1776.

Inasmuch as General Clinton remained with the greater portion of his Army in New York, General Washington established Headquarters at Middlebrook, on the West side of the Hudson, and prepared for a winter of vigil. Quartered with Washington were seven brigades: the remainder of his troops were stationed in a line of small cantonments around New York and were thus prepared to reënforce each other in the event of a sudden incursion of the Enemy. During the cold, gloomy days of January and February, 1779, Governor Johnson received very little intelligence from the Commander-in-Chief. It was a period of idleness in the opposing camps. The French forces under Count D'Estaing had sailed to the West Indies and it was impossible for General Washington, without a fleet, to attack New York; while Clinton did not dare to attack the Continentals in their strong positions.

When the month of March arrived, General Washington was still watching every movement of the Enemy. In the following letter to Governor Johnson—an example of the extreme caution maintained throughout the stay at Middlebrook—Washington broke his silence at winter quarters:¹⁵²

¹⁵¹ *Ibid.*, 266.

¹⁵² George Washington, *Varick Transcripts*, Library of Congress, Vol. III., page 1; XXI *Maryland Archives*, 311.

GENERAL WASHINGTON TO GOVERNOR JOHNSON.

Head Qu^{rs} Middle Brook1st March 1779.*Dr Sir*

Sir Henry Clinton, in order to supply the British prisoners at Fort Frederick and Winchester with necessaries and money, has twice requested a passport for a vessel to go with the same to the port of Baltimore. As it is necessary the Prisoners should be supplied, I have granted permission to a Schooner to proceed to Hampton Roads, where the Cargo is to be received into some of the Bay craft, and sent to Alexandria or George Town under the conduct and escort of our own People, and from thence to its place of destination.

I refused the passport to Baltimore, especially as it was twice pressed upon me, as that port did not appear to be the nearest to Frederick's Fort and Winchester, and as it might be made use of for the purpose of exploring a navigation with which they may be in some measure unacquainted.

I have been thus particular, lest under colour of hard weather the vessel should run towards Baltimore.

I have the Honor to be

Your Excellency's most obed^t Servant

G^o WASHINGTON.

The Legislature convened again in March and, on account of the great scarcity of money, authorized the Governor and Council to dispose of any gallies the State had been unable to man. On receiving this authority, Johnson offered to sell the unmanned vessels to the Commonwealth of Virginia, explaining to Governor Patrick Henry that, for the sake of protection in the Chesapeake, Maryland preferred to have the gallies owned by Virginia rather than by private individuals.¹⁵³ Authority was also given to the Governor and Council to sell any supplies that were not needed by the Militia: and accordingly a large

¹⁵³ XXI *Maryland Archives*, 381.

part of the powder stored at Frederick was offered to Congress for the use of the Continental Army.

At the March session, the Assembly also passed an Act empowering General Washington to settle the disputes of officers concerning their rank in the Maryland Line. In order to assist him in settling the controversies, Washington appointed a committee to make recommendations in this respect. On the 8th of April, the General sent the following report to the Maryland Governor regarding the subject: "I have, agreeable to the powers vested in me, appointed a Board of General Officers to take into consideration and report to me the rank of the Maryland Line. I do not imagine that it will be possible to give general satisfaction, but I am convinced that the Gentlemen who have the Business in hand will pay the strictest attention to the claims of all parties, and give the most disinterested decision. Whatever that decision may be, I hope it may be considered by the State as definitive, and that they will not in future pay any regard to the importunities of those who may be discontented with the arrangement which is about to be made." ¹⁵⁴

At the same time, the Legislature also took occasion to recommend to General Washington that the portion of the German Battalion belonging to the State of Maryland be united with the remnants of Colonel Moses Rawlings's Rifle Corps. and incorporated into an individual Maryland regiment. Washington demurred. He pointed out that the German Battalion, in point of fact, had always been "wholly attached to the State of Maryland and considered as her Regiment." The Rifle Corps had dwindled to about seventy-five men; but Congress agreed with General Washington that, unless the remnants were commanded by Colonel Rawlings as a separate unit, surpassing difficulties would result—"particularly in regard to reconciling the ranks of the officers." Washington expressed a "very high opinion of the merits" of Colonel Rawlings and his

¹⁵⁴ George Washington, *Varick Transcripts*, Library of Congress, Vol. III, page 32; XXI *Maryland Archives*, 339.

officers, but he believed it was impracticable to introduce them into the Line. "In short," Washington explained to the Governor, "the difficulties attending the measures recommended are more than can be conceived, and I am convinced by experience that it cannot be carried into execution without totally deranging the German Regiment."

After receiving this information from Middlebrook, Johnson did not undertake to meddle any further into the arrangement of the Army. "I am sincerely sorry," the Governor replied to the Commander on April 23rd, "that we are so often obliged to take up your attention in the very disagreeable Business of adjusting claims and Difficulties amongst our Quota of Troops. I am apprehensive that any Settlement of Rank will still leave much Dissatisfaction amongst our Officers but I believe our Assembly will never touch the Subject again."¹⁵⁵

A short time later, General Washington informing the Governor that the arrangement of the Maryland Line had at last been fixed "after a variety of attempts, and much time and labour spent by several Boards of Officers."¹⁵⁶ It should be said, however, in this connection that while the Board of General Officers succeeded in settling a number of puzzling disputes, Washington never undertook to commission any man who had never received an appointment from the Governor. "Filling up Vacancies," the Governor and Council notified Congress, "is a work not the most agreeable to us, but we cannot with Propriety give up that Part of the Civil Power of this State."¹⁵⁷ The Maryland officials were assured however, that after a brief period in 1778—when a committee from Congress was helping the Commander-in-Chief to reduce the number of commissioned officers—the States resumed their power of appointment. That Washington made no effort to usurp au-

¹⁵⁵ *Papers of George Washington*, Library of Congress, Vol. 104, p. 13, 843.

¹⁵⁶ George Washington, *Varick Transcripts*, Library of Congress, Vol. III, p. 76; *XXI Maryland Archives*, 430.

¹⁵⁷ *XXI Maryland Archives*, 422.

thority in this direction is shown by the fact that he refrained from giving to four worthy Maryland soldiers—"Gentlemen of merit and well entitled from every consideration to these promotions"—the rank of Lieutenant until he had received the sanction of Governor Johnson.

Early in April—when the disputes of rank in the Maryland Line were referred to the Board of General Officers—General Washington, hearing of Maryland's offer to assist further with the work of raising recruits for the Continental forces, sent off a corps of officers with orders to apply to Governor Johnson for instructions and money. In this connection, the Commander-in-Chief had but one suggestion to make: namely, that the Governor should order the recruiting officers "in the most express manner" not to enlist any British deserter. "These people," Washington declared, "not only debauch our other troops, but are sure to desert again to the Enemy upon the appearance of an offer of pardon, or any the least encouragement, and more than probable carry others with them."¹⁵⁸

In due time, the recruiting corps, with the drums and fifes, arrived in Annapolis and reported at the offices of the Governor. It can well be imagined that the vigorous Executive, following Washington's request, gave to all the recruiting officers a stern warning that any recruit, if found to be a British deserter, would be summarily dismissed from the American service, and that in such an event the bounty would have to be returned. Most of the officers requested Governor Johnson to allow them extra funds, to cover their expenses while engaged in recruiting in the State. The Governor explained that the State had made no provision in this respect other than the allowance of sixteen dollars for each recruit. He promised, however, that if they would keep an accurate account of their expenditures, he would endeavor to secure a reimbursement for them at the next session of the General Assembly.¹⁵⁹ Johnson reported to General Washington on April 23rd: "Most of the

¹⁵⁸ XXI *Maryland Archives*, 340.

¹⁵⁹ *Ibid.*, 485.

Maryland Officers sent hither on the Recruiting Service have since been with me and received the money they desired.”¹⁶⁰

Among those who returned to Maryland at this time in search of recruits was Colonel Rawlings, and before setting out from Annapolis in the direction of Fort Frederick, he made a request for an extra amount of money to buy provisions for his officers. In this particular case, the Council, regarding the Rifle Corps as a part of Maryland's quota in the Continental Army, advanced the money and charged it to the Continent.

Brigadier-General Casimir Pulaski was also anxious at this time to augment his forces. The corps, which he had organized after distinguishing himself at Brandywine and Germantown, was ordered to Georgia; and fearing that he would lose some of his men by sickness and desertion during the course of the journey, the young Polish nobleman made application at Annapolis on April 10th for permission to secure recruits in the State. So courteously had he been received in Maryland and so grateful was he for the aid of Governor Johnson that he was eager to call his corps the “Maryland Legion.”

On learning that Mr. Johnson was out of town, Count Pulaski directed one of his captains—the Chevalier De Segond de la Plaine—to remain in Maryland for a short time to try to secure additional men; and, after leaving a personal message of farewell for Governor Johnson, hurried on his way to Georgia. “You will hear,” Pulaski wrote before setting out from Annapolis, “I am in my way to Georgia; give me leave to take my farewell, and in the mean time to beg for the continuation of your kindness for my Legion. I left a Request to the Council on that purpose. I flatter myself you will favour me with the influence you have among the Gentlemen of that Board. The Capt. Segond who stay behind, is desired to return you thousand thanks, and let you know all the chagrin and sorrow I had of having not the honour to see your Excellency.”¹⁶¹

¹⁶⁰ *Papers of George Washington*, Library of Congress, Vol. 104, p. 13,843.

¹⁶¹ *XXI Maryland Archives*, 341.

However, when Captain De Segond applied shortly afterwards for the permission to recruit, the Governor and Council informed him that the Legislature, in order to fill the quota of Continental troops, had passed an Act prohibiting further enlistments in the State except for the regular Maryland battalions. Upon being informed of this Act of Assembly, the Chevalier decided to leave without delay for the South. But the Chevalier and the final contingent of Pulaski's soldiers, as they sailed down the Chesapeake early in May, 1779, retained none but the kindest feelings for the Governor and the people of Maryland. And Mr. Johnson performed his final service for the Legion when, at Captain De Segond's request, he urged the Governor of Virginia to provide the men with necessary supplies while on their way to Georgia.¹⁶² Under Brigadier-General Pulaski, the Legion won distinction in the Southern theatre of war; but Fate prevented the young nobleman from ever returning to the soil of Maryland, for when the Legion joined with the forces of General Benjamin Lincoln and Count D'Estaing in the unsuccessful attempt to retake Savannah, Pulaski was mortally wounded.

While the British were overrunning Georgia, Sir Henry Clinton, still beleaguered in New York, was sending out detachments by sea with instructions to burn and plunder along the coast. Having met with little success in honorable warfare, the British were descending to methods of brutality and pillage. It was during his second Administration that Governor Johnson heard the appalling news of the Wyoming massacre, and, at the time of his third election, the tragedy at Cherry Valley. It was also about this time that the Governor received word of the expeditions of plunder along the coast of Connecticut, and doubtless he suspected that Lord George Germain was scheming to break the spirit of the Americans.

While the warfare of the British, aided by the savage Indians, had degenerated into "a series of marauding expeditions

¹⁶² *Ibid.*, 370.

unworthy of civilized soldiers,¹⁶³ the spirit of the Americans, if anything, was strengthened. Surely in Maryland the Governor found less trouble from the Tories in 1779 than he did in 1777 and 1778. The only internal disturbance of any consequence in the State during Johnson's third Administration—and similar troubles broke out in Philadelphia and other parts of the country—came from a limited number of people who maintained that a number of rich men had engrossed large quantities of grain and were charging exorbitant prices. Mr. Johnson did not approve of profiteering. Those in affluence, said he, ought to be "influenced by the dictates of Humanity," and should not "drive the necessitous to despair." On the contrary, the Governor, discounting the reports, refused to view the threats of violence with alarm. The Courts, he thought, were "fully sufficient to punish the past" and "a little moderation in those who have to spare" would prevent any irregularity in the future.¹⁶⁴ However, in order that there would be no excuse for any further disturbance of the peace, the Governor, with the advice of the Council, issued a Proclamation on May 11, 1779, warning all persons in the State against "raising or joining in any riotous assembly or proceeding" and giving notice that by "such unwarrantable conduct" they subjected themselves to the full penalty of the law.

General Clinton was also disappointed in the hope that his marauding expeditions along the coast would be of military value. He hoped that General Washington would send out detachments to protect defenseless towns along the coast, and thus scatter and weaken the Continental forces. But the American Commander foresaw that it was his duty to keep his Army united and to maintain his vigil around New York. He applied to Congress for heavy cannon for the further defense of North River, and Congress in turn appealed to Governor Johnson for as many cannon as the State was able to spare in the emergency. The Legislature had never granted authority to

¹⁶³ Fiske, *The American Revolution*, Vol. II, 109.

¹⁶⁴ XXI *Maryland Archives*, 384.

the Governor and Council to dispose of cannon belonging to the State, but in view of the urgent call from Congress, Johnson recommended that ten of the "eighteen-pounders" be delivered at once to the Commander-in-Chief. When the Legislature reconvened, the Governor told frankly why the cannon had been sent out of the State, asked for approval of his action, and explained that if the Legislature preferred not to sell the cannon to the Continent, they would be promptly returned to the State.¹⁶⁵

Meanwhile, Sir Henry Clinton, not content with his plunder along the shores of Connecticut and New Jersey, determined to send out another detachment to destroy property and terrorize the inhabitants in another section of the country; and a force of approximately 2,500 British and Hessians, commanded by General Mathews, embarked at New York, May 5th, on the new expedition. When news reached United States Headquarters that the vessels—about 25 square-rigged men-of-war and a number of sloops and schooners—had set sail and were steering in a Southern direction, General Washington suspected that they were headed for a point some distance down the coast—perhaps as far South as the Chesapeake.

General Washington immediately apprised Congress of the new movement of the Enemy, and the members of Congress decided to warn every State which was apparently in danger of attack. The note of warning to Maryland—signed by John Jay, President of the Congress—was received by Governor Johnson on Sunday, May 16th, 1779. Like lightning from a peaceful sky, the message startled old Annapolis from her Sabbath tranquillity. Quick as a flash, Johnson laid his plans for defense. He knew that the State was in imminent peril and he asked his Council to hold a special Sunday meeting. Once before—upwards of two years ago—the British had sailed up the Chesapeake; but, so eager they were at that time to press on towards Philadelphia, that they did not disembark until they reached Elk River; and Annapolis and Baltimore

¹⁶⁵ *Ibid.*, 490.

were unmolested. But how well did the Governor and Council remember the day when Admiral Howe's fleet appeared in view; how weak and defenseless they felt when confronted by the soldiers of the King; and how it was decided to make no effort to defend the Capital! But the plan of warfare had been changed. The Governor now feared that the British would sail up the Chesapeake, disembark at the Severn, burn the State House, and then proceed to Baltimore. Thousands of Maryland soldiers were in New Jersey with General Washington: the only home defense was the Maryland Militia. Without waiting for morning, Johnson, with the sanction of the Council, issued orders to General Andrew Buchanan, of Baltimore County, and Colonel Richard Dallam, of Harford County, to assemble the Militia and to be ready to march at a moment's warning.¹⁶⁶

On Monday morning, news reached the Governor that the Enemy, instead of proceeding up the Bay, had landed at Portsmouth, Virginia. It was now feared that the invaders would make depredations along the shores of Southern Maryland; and a part of the Anne Arundel Militia was requested to remain at home to defend the plantations along the water, and the remainder was ordered to Annapolis. The Governor also notified the Militia of Calvert, Charles and St. Mary's and the Counties of the Eastern Shore to be prepared for any emergency.¹⁶⁷ Even the Frederick Militia—located 50 miles away, and the only protection of the frontier against the Indians—was ordered to be in readiness to reënforce General Buchanan.

As a further precaution, Governor Johnson ordered the records of the State to be removed from Annapolis to places of greater security. The money and papers of the Continental Loan Office, the Treasury, and the Office for Emitting Bills of Credit were stored at the home of Mr. Henry Ridgely at Elk Ridge; while the other records—those of the Courts, the Commissaries, the Land Office, the Auditor General, and the Council—were taken to Upper Marlboro.

¹⁶⁶ *Ibid.*, 394.

¹⁶⁷ *Ibid.*, 397.

Upon landing in Virginia, the British acted "with cruelties worthy of a mediaeval freebooter."¹⁶⁸ In describing the destruction of Portsmouth and Norfolk by the British marauders, John Fiske says: "Every house was burned to the ground, many unarmed citizens were murdered, and delicate ladies were abandoned to the diabolical passions of a brutal soldiery." The reports that came from Virginia spread consternation in Annapolis. Mr. Johnson could scarcely believe they were true. After destroying property to a vast amount and terrifying the people in Virginia, it was reported that a band of Hessians and Tories, commanded by General Knyphausen, and supplemented by negroes, were marching in the direction of South Quay and were behaving with great cruelty.

Governor Johnson decided to turn to Congress for help. "It is conjectured in Virginia," he wrote Congress, "that they design to visit this Place (Annapolis) and Baltimore as soon as the work is done or they are drove off in Virginia. We imagine the Head of Elk is as much an Object as either Baltimore or Annapolis."¹⁶⁹ Pointing to the large quantity of Continental stores at the Head of Elk, the Governor continued: "In our situation, where nothing is wanted in all probability to secure us against 2500 men but Arms, we cannot but remember how we stripped ourselves of our Arms for the Support of the Common Cause and the little Attention that has been paid to our Request to return them; it may be too late for this Occasion or perhaps not. If it is possible to get a Return of our Arms or any of them, *pray do so and send them to the Head of Elk with all Expedition.*" At that time the only muskets to be found in Philadelphia were in poor condition, and Congress ordered the Board of War to repair about six hundred and rush them to the Head of Elk.

It was also decided by the Governor and Council to request General Washington to give to Mordecai Gist, now Brigadier-General, a temporary release from the Continental Army to

¹⁶⁸ Fiske, *The American Revolution*, Vol. II, 110.

¹⁶⁹ XXI *Maryland Archives*, 405.

enable him to take command of the Maryland Militia during the emergency. "Could not Gen^l Gist be spared from Camp?" the Governor inquired. "Our Militia have Confidence in him, he would be very useful. He would lie in his own Neighborhood, acquainted with every Man and every Foot of Ground, if you can, send him to us." On Sunday morning, May 23, a Continental rider sped away from Philadelphia in the direction of Headquarters in New Jersey; he carried the petition from the Governor and also a recommendation from the Maryland Congressmen that Brigadier-General Gist be allowed to return to Maryland—together with any other officers and troops that could be spared from the Continental Army.

After two days of travel on his horse in New Jersey, the messenger arrived on Monday night at the Headquarters of General Washington. At that time, the Commander-in-Chief was in need of the services of Brigadier-General Gist; but the great Virginian, mindful of the many important services rendered by Johnson in support of the Continental Army, decided to grant his request. "In compliance with the wishes of His Excellency the Governor, which you have been pleased to communicate," Washington replied on May 25th,¹⁷⁰ "I have requested General Gist to repair to Maryland as soon as he can, tho his service with the Army is now material, and from the train of Intelligence I have received from New York for some days past, it may become still more essential. I am sorry that I cannot spare any officers besides him. And as to a detachment of troops, I have to lament with you, that the circumstances of the Army will not admit of any; and what is yet more painful, they would not—even if events (in the Chesapeake) of a more pressing nature than any that have arisen, were to take place—if the Enemy should continue their present force at New York and its dependencies."

Washington ordered Gist to "proceed forthwith to Baltimore, apply to the Governor and concert with him the measures necessary to be taken on the occasion."¹⁷¹ Reaching

¹⁷⁰ *Ibid.*, 419.

¹⁷¹ *Ibid.*, 426.

Baltimore on June 1st, the Brigadier-General sent to Annapolis an express, announcing that he was at the disposal of the Executive. He ventured a recommendation—endorsed by General Washington—that beacons be erected on prominent heights throughout the State to serve as signals of alarm.¹⁷² But General Buchanan had already provided for signals around the countryside to aid in collecting the Militia in the event of attack. On the following morning, Gist, in another letter to the Governor, pointed to the defenseless situation of Baltimore and recommended that a certain number of Militia be retained to garrison the post, so that the civil population would not be helpless if the British arrived. But, as Johnson informed him, the force assigned to Baltimore was all that could be kept there under the circumstances.

(*To be continued.*)

DEPOSITIONS IN THE LAND RECORDS.¹

CHANCERY RECORD, LIBER S. H. H., 1787-1789, p. 261 et seq.

Philip Hall

versus

James Calhoun, Philip Rogers, John Mickell, Hance Morrison,
David Shain and John Griffith

FEBRUARY COURT 1786.

The deposition of Miles Love of Baltimore County aged 66 years or thereabouts who being sworn in the presence of the sheriff and surveyor deposeth and saith that the Deponent recollects that he came to Baltimore Town about 14 years ago by water and that in coming up jones falls he saw some of his friends standing on the East side of Jones's falls and he this Deponent went ashore, and heard John Ensor depose and declare

¹⁷² *Ibid.*, 438.

¹ [These papers shed much light on the early history and topography of Baltimore City. They were discovered by Mr. Wm. B. Marye.—EDITOR.]

on oath that at the spot now shewn the surveyor where a stone is planted that the first boundary of a tract of land called Coles Harbour stood or near to it, that the said John Ensor said when he was a boy he traced a Racoon up the said Tree and would have cut it down but he was apprehensive it would fall into the falls, that when he went home on telling his father thereof he observed, that if he had cut it down he could have been hung, as it was a bounded tree of Cole's Harbour that Thomas Gorsuch also deposed in the presence of this Deponent at the same time that when he was a boy he shot a wild goose from behind the said tree and that after he shot the person who was with him put his hands on the said tree and observed it was a bounded Tree of Cole's Harbour this Deponent also saith that the said Information was taken before Thomas Cockey Deye and Joseph Merryman on a Land Commission taken from Baltimore County Court to establish the boundaries of Cole's Harbour, etc. sworn 30 January, 1786.

John Wooden aged 65 ——— deposeseth and saith that near the spot where he now stands he believes within a distance of 30 yards one Fleming who lived and claimed under Mr. Carroll as he understands from his father and mother resided in a clap board house (this witness being then about ten years of age) in peaceable and undisturbed possession as this witness believes that he has known many years since that time the house which Fleming then lived in but at what time Fleming left it or who the succeeding tenants lived and claimed under this Deponent doth not know. The witness being examined on the part of the Defendants saith that near and about the place which he now stands to the Surveyor there was when he first remembers anything of the place (to wit in the life time of Mr. Eager and a considerable number of years since the time he first remembers Flemings House) a small round field enclosed which he supposed might be Eagers field for this reason he apprehended as he recollects from any information but merely from his own opinion that the land about that place belonged to Eager—that he never heard that the field belonged to any other person than Mr.

Eager having never heard any person speak about it. January 12, 1786.

James Welsh aged 75 years produced on the part of the complainant being duly sworn doth depose and say that the spot shewn by him to the surveyor in the cause of Helms against Howard lately depending in the General Court for the Western Shore of Maryland is the place where John Flemmings house stood then known by the name of Carrolls quarter in which house the said Flemming did actually reside as overseer of Squire Carroll in a Clap board House that the said Squire Carroll was grandfather to the present Charles Carroll of Carrollton that after the said Carrolls decease the said Flemming became owner for the late Charles Carroll Father of Charles Carroll of Carrollton who broke up the said Quarter. That the said John Fleming as overseer for the said Carroll cultivated the ground which was afterwards laid out for a town and had a number of Negroes under his Direction at the said quarter belonging to the said Carroll. This Deponent being at that time six or seven years of age. That the said John Fleming when Mr. Carroll broke up the quarter became a Tenant to him the second Charles Carroll and continued to reside in the house above mentioned until a short time before the Town was laid out, and that while the said John Fleming was a Tenant on the said Land he cultivated and tended in Tobacco the same piece of ground first shown to the surveyor in the case of Helms against Howard. This Deponent being at that time 16 years of age or thereabouts and further that the said Flemming had quiet and uninterrupted possession of the said land and he never understood any one claimed property therein other than said Carrolls that Fleming removed from the said place a small space of time before Baltimore Town was laid out and this Deponent believes Mr. Carroll ordered Fleming to leave it on account of its being laid out for a Town. January 27, 1786.

Mayberry Helms aged 77 years or therabouts . . . being duly sworn . . . doth depose and say that the place shewn to

the surveyor by him is the place where John Frazier had a shipyard and sawpit in the year 1748 or therabouts that John Frazier at that time as the Deponent believes was in quiet and undisturbed possession of the said ground and Improvements that there was no house built at the place in John Fraziers lifetime, that about two or three years after John Fraziers death his widow the mother of the complainants wife erected a frame of a house this Deponent cannot say whether it was covered in and weather boarded or not that Mr. William Rogers had the care of Mr. Eager's Estate, and the Tract of land called Lunn's lot between the years one thousand seven hundred and fifty and sixty, that the place shewn the surveyor is the beginning of Baltimore Town, which is held under the title of Carroll and is part of the tract of land called Coles Harbour that the place shewn to the surveyor is the beginning of Hansons Improvements as shewn to this Deponent, by Jonathan Hanson its former proprietor; that the place shewn to the surveyor is the place where this Deponent and Cornelius Howard began their survey when they were laying down and surveying Coles Harbour; that this Deponent was very well acquainted with the family of John Frazier that at the time of his Death the complainants wife has a little girl; that he has long known the ground adjoining to the Locust Stump shewn to the surveyor by Leonard Helmes and Benj. Griffith; that there was not any other locust Tree to the best of his remembrance grew anywhere about there except that one that was an old tree when he first knew it 40 years ago, that he does not know whether it was a bounded Tree or Not but has been told that it had four notches in it; that he had his information from either William Rogers or Nich^s R. Gay, he is not certain which; that he does not remember whether any person ever told him it was a boundary or not; that he this Deponent about 14 or 15 years ago was in company with Cornelius Howard who then told him this Deponent that John Ridgely, Nich^o R. Gay, William Rogers and others would not permit him to extend the lines of Lunn's Lot

to the waters edge notwithstanding his certificate called for the North West Branch of Potapsco but had stopped him at the bounded Tree at the bite which was a considerable distance from the shore, that at this time William Rogers, Nich^s R. Gay, John Ridgely the Deponent does not no (sic) if any of the three persons was at that time living or not at the above conversation that Mr. Howard disputed William Rogers right to the tract of land called Hog Range said he told Mr. Rogers to build a good Brick House on the tract and then he would dispute the right with him; that the place shewn to the surveyor is the place where formerly there was a Branch that run out of a pound (sic) and spring of water at that time shaded by woods upwards of forty years ago that this Deponent never did tell Joshua Hall that the place which he showed to the surveyor in the survey ordered in the case of Helms and Howard was the end of Carroll's line meaning the 320 perch line of Tods Range nor did he ever at any time admit that the line aforesaid did end there but always declared that the said line did extend further westerly that he is interested in the location of Coales Harbour but that he is not interested in any location that may be made clear in this present dispute (not dated probably 1786.)

Job Garretson aged about 45 . . . being duly sworn . . . doth say that the different places shewn to the surveyor were at the high water mark for the last 20 years past that the place shewn to the surveyor is where the old house called Mrs. Fraziers stood that he was present when Mr. Gay surveyor of the County and William Rogers between 20 or 30 years ago at the request of Eloner Frazer the mother of the complainants wife sighted with a compass from the tree which has since been shewn as te beginning of Deep Point as shewn here by William Rogers shewn to the surveyor in order to see where Mrs. Frazier might erect the House before mentioned that Wm. Rogers after the line had been Marked by setting up sticks told this Deponent that Mrs. Frazier might put up the House anywhere to the Eastward of that line and afterwards examined the ground and

chose a level spot where the frame was erected, this Deponent assisted to put a part of shingles and weather boarding and believes the house was never finished that at the place shewn to the surveyor John Frazier had a shipyard and sawpit in his lifetime and he was present when Jacob Giles about 10 or 12 years ago shewed (the) place where a boundary of Lunn's Lott stood & which the Deponent has shewn to the surveyor that this Deponent understood at that time Mr. Giles had been sent to Harford for the purpose of locating the said boundary by the agent of the principio company that Mr. Giles could not find the tree nor its stump but said it stood some where at or near the spot shewn to the surveyor near on that Hillside which Makes a bite from the N. W. branch that the place shewn to the surveyor was about 30 years ago the high water mark in the bite shewn to the surveyor. That the place shewn to the surveyor is the beginning of Gists Inspection as shewn by Nicholas R. Gay, James Richards and many others to this Deponent, that at the time the wharf shewn to the surveyor was constructing by Joshua Howard Sarah Hall, the complainants wife was young girl not capable of managing her affairs, that this Deponent spoke to Joshua Howard when he (was) building the said wharf and told him he thought he was ineroaching on Frazers land and Howard answered that he did not know till within a few days ago then past that Frazer held any land about there and said he believed his wharf was a little upon Frazers land and if he had known it before he would have placed his wharf a little farther of and it was only a little narrow point that he encroached and of little value. That this deponent always understood that the tract of land called Hansons Improvement was and is part of the tract of land called Coles Harbour and Tods Range and that Jonathan Hanson lately deceased was in possession of the said land and mill and that it was always called Hanson's old mill ever since this Deponent can remember etc., etc. October 9, 1787.

Leonard Helms aged 48 or thereabouts ——— deposeth on

the spot where he now stands or near it and that he understood that Cornelius Howard and his father Mayberry Helms began their survey of Coles Harbour that at time he had never heard of any other beginning of Coles Harbour on being asked by James Calhoun whether he conceives himself interested in locating the beginning of Coles Harbour at this place answered that he is interested in establishing the boundary there in preference to any other place that he has heard mentioned but no ways interested in the present dispute between the parties Philip Hall and James Calhoun that at place shewn to the surveyor there was a locust tree about 30 years ago on the point of land from which the said tree agree (sic) he has seen Wm. Rogers and Nicholas Gay surveyor of the County Run a line of Eagers Land and stopped at the call spring now called Cloppers Spring shone (sic) to the surveyor; that at the place shone to the surveyor the frame called Mrs. Frazer's old house which stood for a number of years the place shone to the surveyor is where the water usually ebd and flowed and he this Deponent has catched crabs at different times in the same place about 25 or 30 years ago which was at the bite as laid down by the complainants. (January 15, 1786.)

The deposition of William McLaughlin late Sheriff of Baltimore County of lawfull age who being sworn . . . deposeth . . . that on a survey made in the dispute between Helmes and Howard some time in the year 1782 Jonathan Hanson since deceased was produced as a witness and on his oath did say in the presence and hearing of this Deponent, that there was a House a little to the westward of where he then stood which was at or near the place now shewn to the surveyor which said House was called Eagers Quarters and that he knew it to be in the possession of Philip Jones who married Eagers widow and that there was a corn field to the westward of said quarter tended by the said Jones that he knew the said quarter from his infancy and to the best of this Deponents recollection said he knew it for at least 60 years and this Dep^t saith that the said

Jonathan Hanson on his oath did say that the land at the quarter and cornfield was always deemed to be Eager land and that he never heard or knew of Mr. Carroll or any person under him laying claim to that place and that he had lived in this neighborhood and been acquainted with it from his infancy being examined on the part of the complainant further saith that the place he has now shewed to the surveyor as Carroll quarter as the place proved by the aforesaid Hanson where John Flemming formerly lived and who he said was an overseer to the said Carroll. May 3, 1786.

The State of Maryland at the Relation of Thomas Yates @ Nath'l Smith, Robert Purviance and Samuel Purviance.

The application of Thomas Yates to extend two lots, No. 368 and 408 situate on Philpott's Hill into the Bason, to the Channel was read, and taken into consideration, and the board made the following order therein, that the said Lotts shall extend in a south direction parallel with Gay street binding on the line of Jones's falls as established by the wardens, to intersect a line drawn East from and parallel with the South side of Lee street—Mr. Samuel Purviance being present, and objecting on behalf of himself and others to the above permission as interfering with his property in front of said lotts the board are of Opinion, that the said permission shall not be deemed and taken to affect or injure the rights or claims of any Individuals what ever and permission was granted accordingly. The said Thomas Yates engaging to logg in, and wharf Jones's falls as the same shall be extended and securing his wharf effectually so as not to injure the navigation, or the adjoining Lotts, on the 14th of February 1786, the following agreement was entered into and exhibited in Court by consent of parties—which follows in these words Viz. "Ordered by consent of parties that the tract of land called Bond's Marsh resurveyed in Baltimore County be surveyed and laid out according to the Ancient Metes and bounds thereof, and any other lands and places the parties or either of them may think neces-

sary for the better Illustration of the matters in dispute each party having ten days Notice of the survey, from the Surveyor of Baltimore County and that the Depositions of any persons, the parties or either of them may think proper to examine in relation to the matters in dispute, be taken and admitted in this Cause as Evidence before the Chancellor, on giving five days Notice to the adverse party—J. To^r Chase, Thomas Yates, Tho. Jenings for Defendant—And the said Cause so standing continued until May Court Anno Domini seventeen hundred and eighty six the Complainant and Defendants by their Counsel aforesaid exhibited into Court the following Depositions—

The Attorney General at the instance	} In Chancery— Complainants Depo- sitions— The Deposition of Jesse
of Thomas Yates—@	
Nathaniel Smith Samuel Purviance	
and Robert Purviance—	

Hollingsworth of Baltimore County aged fifty-two years, or thereabouts, who being sworn on the Holy Evangels of Almighty God, and on the tract of land called Rogers's inspection, near to the upper wharf begun by Thomas Yates, deposeth and saith that ever since the year one thousand seven hundred and seventy two, he this Deponent hath been acquainted, with the North West Branch of Potapsco river, Jones's falls, and the waters, and lands thereto adjoining, and that at common low tides (which the present tide is) all the space, above below and between the wharves began by Thomas Yates, has been covered with tide water, which is at this time without any material variation, and that the whole space, between the said two wharves is now covered with tide water—this Deponent saith that to the best of his knowledge and belief, the Island, to the south end of Harrisons Marsh, when this Deponent first knew it, was not above a fourth part as large as it now is. This Deponent saith that the place shewn by Melchior Keener and noted in his deposition is in his opinion nearly the place, where the Principal part of the Island was situated, when he first knew it, and that the said Island hath since extended and grown to the Southward

and Westward to its present size, that at the very low tides occasioned by violent or long North West winds, this Deponent hath known and observed the flatts adjoining the Island from Buchanans Wharf, quite down by Yates's wharves, uncovered of water, three fourth parts or more and has seen on these Occasions, great numbers of people picking up fish from the mud except a place North West of the Island where there was a Channel, through which Jones's falls disembogued its waters, this Deponent remembers a few days ago the Tide was so low that near half of the space, between the upper and lower wharves began by Thomas Yates was altogether uncovered with water, and tho', there was a space towards Philpots Hill which shewed the trace of a Channel, or deeper place there than at the other parts yet there was not as much water, as would enable a duck to swim, that at that time the falls were bare thirty yards, or more, to the Southward of the upper wharf began by Thomas Yates, that at the same time it was generally bare quite to the end of Buchanans old wharf, except the Channel at the North West side of the Island that at this time it was an uncommonly low tide occasioned by the long North West winds, that at those times, it was not bare at the County Wharf, but that there is a shoal in front of Mr. Purviance's wharf, which was then also naked of water, this Deponent also saith that from his observation, he is satisfied that the bason has been filled up, so as to be two feet more shoal in General than it was when he first knew it, and in some places more—Jesse Hollingsworth—Sworn to before me the Subscriber a Justice of Peace for Baltimore County in presence of the above Parties—Geo. Gould Presbury.

The Deposition of Melchior Keener of the County of Baltimore aged sixty-four years or thereabouts, who being sworn on the holy Evangels of Almighty God on the tract called Rogers's inspection, deposeth and saith, that he hath been acquainted with the Town of Baltimore ever since the year 1759, and that the space to the south of Philpots Hill, lying between the two wharves began by Thomas Yates hath been always covered with

tide water as it is at this time, which is a common low tide, and also both below and above the two wharves, that at some times at very low tides, when the water was blown out of the Bason, by North West winds, he hath observed the flats, to the south of Philpots Hill in some places bare of water, and that from a place now shewn, the surveyor about 16 or 17 years ago, at common low tides the boats and vessels coming from Jones's falls steered or took a Course towards Patterson's Wharf on Fells point to go down the river, that the Bason has filled up since the Deponent's knowledge, he thinks between two and three feet generally, tho in some places more than at others, that this Deponent recollects that when he first came to Baltimore to live there was a small spot or Island about thirty feet in Length, to the south of Harrison's Marsh, which has been growing on the South end ever since, that he remembers to have shot from the East side of the falls some birds on the east end of the said Island, and that at a low tide, the boys went from Harrison's Marsh and brought the game killed off, and this Deponent also saith that some time after a small spot of ground below and south of the other spot or space appeared not larger than a table at the distance of 20 or 30 yards from the former spot covered with flaggs which became united to the former one gradually and that, since that period it has been constantly increasing on the South side to its present size, that at high tides this Deponent hath gone out of Jones's falls in Batteaus or Canoes in a South direction, but at low tides they usually went around Philpot's hill in a course already described, that in the year 1760, this Deponent came with a raft of wood into Jones's falls, around Philpots hill, thinking that he could not get in by a straight Course, but at that time the flats to the South of Philpotts Hill between the two wharves were covered with tide water, he thinks it was not a very low tide, for if it had been, he could not have got into Jones's falls around Philpotts Hill, or in any other way, that he does not recollect ever to have seen any bay craft or wood flats go out or in Jones's falls in any direction, that he has seen flats that would

carry five Cord of wood in Jones's falls, but knows not what course they took coming in or going out, that between the waters of Jones's falls and the North West branch of Patapsco at the Mouth of the falls there was a mud Bank or shoal covered with tide water, which extended around to the south eastward that this mud bank or shoal was always covered with tide water except at very low tides occasioned by long north west winds, this Deponent also saith that the place now shewn the surveyor is nearly about the spot where he saw the first Island and he thinks not five yards distant from it—Melchior Keener.

Sworn before Geo. Gould Presbury march 1785.

The Deposition of Abraham Vanbibber Esquire of Baltimore County aged forty years and upwards who being sworn on the Holy Evangels of Almighty God on the tract of land called Rogers inspection deposeth and saith that this Deponent settled in Baltimore town in the year 1767, that he hath resided occasionally and sailed from the port of Baltimore ever since, that this Deponent thinks it was six or seven years after he came first to Baltimore, that he ever discovered the flatts between the two wharves began by Thomas Yates, bare of water, at any kind of tide whatever, that this Deponent then observed at a very low tide occasioned by long North West winds, a flatt from the mouth of Jones's falls stretching a long in front of Philpots Hill, that it appeared to be about twenty yards wide and about 100 or 150 yards from the shore that the water was about a foot deep around Philpots point, where a drain of water ran from the mouth of the falls, that this Deponent hath within these four years seen a Canoe, that came up Jones's falls to Philpots bridge attempt to go from the mouth of Jones falls into the Bason, but that it could not find a passage, either in a south direction or around Philpot's Hill, the tide being so low that this Deponent hath himself about 12 or 14 years ago carried a scow load of flour containing about 50 or 60 barrels, from Moore's Mill, down Jones's falls in a south direction straight into the bason at a high tide, that this Deponent hath

also carried out barr Iron and flour from Jones's falls in a boat in a south direction, that he thinks the bason two feet and upwards shallower now than at that time, that the space, to the Southward of Philpots Hill, between the two wharves is at this time which is a common low tide, covered with tide water and that the said space hath always been covered with tide water since he knew it except at very low tides occasioned by long North West winds blowing, this Deponent also saith that the Island in the mouth of Jones's falls to the southward of Harrison's Marsh, he thinks is much larger than it was when he first knew it, and that it has increased on the South end gradually every year since, that as well as memory serves him there was a spot near Harrisons Marsh covered with flaggs which has been increasing ever since to the southward, that this Deponent went up Jones's falls twice in a scow and five or six times in a Moses built boat, from fells point, that it was always at high tides and he knew not, or heard of any Cannel around Philpots hill at that time of his going up and down Jones's falls as aforesaid, which he supposes was 12 or 14 years ago, that the wind at this time is about East north East. Ab^m Vⁿ Bibber.

March 1785 Sworn before Geo. Gould Presbury.

Thomas Elliott Esquire, of Baltimore County aged forty-four years or thereabouts being duly sworn on the holy Evangels of Almighty God and being on that tract of land called Rogers's Inspection, near the Upper Wharf, began by Thomas Yates, de-
poseth, and saith, that at this time there is a common low tide, that he never knew or did see any dry land, between the upper and lower wharves, began by Thomas Yates or between the lower wharf, and fells point except what was rendered dry by the falls of the tide occasioned by the North West wind blowing the water out, that at common low tides, no part of the said space to the south of Philpots hill between the two wharves is dry, more than at this time, but that at uncommon low tides, when the wind had blown for a time, from the North West, he has known

the space bare of water as far as the wharves are now extended by the said Yates, and once he knew the water so entirely blown out and so low, that it was, bare, or nearly so, for the whole space from the upper wharf, quite across to fells point that at the time, when the tides are so very low from North West winds blowing, this Deponent hath known it to be naked mud, at the wharves, when at other times the bay vessels lay and unloaded their cargoes, he saith that in the whole space, that becomes bare by these low tides, or between the extremity of it next the water, and the main land on Philpots Hill, he never knew any part that could with propriety be called a Channel and that he is confident, from the main land to the extent of the space, which is ever left dry, by the ebbings of the water, there is no place, or Channel, which is one foot deeper covered with water than the other parts, this Deponent further saith that the Island, lying southward of Harrisons Marsh, has increased considerably since he first knew it and has extended more Southerly this Deponent further saith that he hath known the lands and waters at this place about thirteen years, that at the times when the tide was so uncommonly low this Deponent remembers vast quantities of fish, were caught among the Grass when at other times, boats sailed over this Deponent also saith that he never knew any boats or canoes could pass up and down in any Channel though the flats, in any Course, between the main land and the deep water, when the tides were so low, as to leave the flats bare of water, this Deponent also saith that at this time, the whole space between the said wharves is covered with tide water Tho^s Elliot—March the 24th 1785—Sworn before Geo. Gould Presbury.

The Deposition of William Aisquith of Baltimore County, aged fifty-one years and upwards, who being sworn on the tract of land called Rogers's Inspection deposeth and saith that he hath been acquainted with the waters of the North West branch of Potapsco and Jones's falls ever since the year 1761, that the tide water at common tides usually ebbed and flowed up

Jones's falls nearly as high as Moore's Mill, that this Deponent hath seen flats and boats with two Masts go up Jones's falls near as far as Griffith's bridge that in the year 1762, this Deponent recollects a sloop or schooner was built at Banksons wharf a little above Philpots bridge, that he thinks the said vessel would carry from five hundred to seven hundred bushels, and that the water at Banksons wharf was at that time about four and an half feet at common tides, that at this time its very shallow being greatly filled up, that the said vessel came down the falls, but he does not remember to have seen her go out. That he recollects the Marsh or Island at the south end of Harrison's Marsh in the year 1761, that the Island was not so large as it now is, or so long, and that it has grown to the Southward something larger, that this Deponent remembers in the year 1763 when it was common tides. Batteaus and Canoes could go out from Jones's falls into the bason or river Potapsico in a South direction, that when the tide was low the vessels usually went out into the bason around Philpots Hill where the water was deeper, that at High tides he thinks that wood flats in the year 1769 might have went from Jones's falls into the bason in a Southern direction, but at low tides they could not, that the space of ground to the Southward between the two new wharves building by Thomas Yates was always covered with tide water at common low tides, that he does not recollect ever to have seen the said space between the two wharves uncovered with water only at very low tides occasioned by long North West winds, and that of late years only, and that he thinks the Bason must have filled up of late years two feet or more, that he has passed out from Jones's falls in a Batteau around Philpot's Hill when he could not go out in a South direction, but that the space to the southward of where he passed out, was not entirely dry but he could discover the Grass, that this Deponent thinks the course of the Channel that run around Philpot's Hill was nearly parallel to the shore at about forty feet distant and some places nearer, and ran around as far as the point, this Deponent also saith, that at the spot where this

Deponent now stands being the Upper stone of two set upon the East side of Jones's Falls, he was present at a white Oak bounded tree, which this Deponent understood by Bryan Philpot and Nicholas Ruxton Gay the second boundary of a tract of land called Mountenay's Neck, that the said Nicholas Ruxton Gay, who at that time was Surveyor, ran from the said white Oak, and this Deponent observed that the ground at the point on Philpot's Hill must have been vacant, that this Deponent did intend to take up the same but was prevented by being informed that William Rogers had secured it, that this Deponent recollects to have seen, the summer before last some bunches of flaggs growing where the wharf on Jones's falls is now laid, that the grew larger last summer, but he does not recollect ever to have seen them before last—that he has paddled through the bunches of flaggs above mentioned several times, that he has been on them and walked on them last summer, and that he has paddled over them in a Canoe or batteau at high tides—W^m Aisquith—March 1785—Sworn before Geo Gould Presbury.

The Deposition of Isaac Griest of Baltimore County aged about fifty-four years or upwards who being duly sworn on the Holy Evangels of Almighty God on that tract of land called Rogers's Inspection, near the upper wharf began by Thomas Yates deposed and swore that he has been acquainted with the water and land at this place about eighteen years, that when he knew this place first and the Island south of Harrison's Marsh, there was no Channel on the West side of it, but the waters of Jones's falls ran down on the East side into Potapsico river, that the waters (as now when sworn) were as usual at common low tides, that at very low tides, and when the winds had long blown from the North West he has known it dry, or bare land for two or three hundred feet or more than at this time, that at those times he has known a drain through the Mud near the main land, through which the waters of Jones's falls then ran down, but that he never knew any drain or Channel through those flatts, through which even a Canoe could pass up or down, when the

other part of the flatts were bare or uncovered of water, that at the times when the tides are so very low as to leave the flatts naked, Jones's falls are also very low, this Deponent saith that when he first knew the aforesaid Island he thinks it was scarce a twentieth part so large as now, that the whole of the Island was then situate to the Northward near the main marsh called Harrisons Marsh and that it has since extended along principally to the Southward, it extended to the Northward when he first knew it, as far as it does now or nearly so, this Deponent never knew any land dry between the two wharves began by Major Yates except what was rendered so by the fall of the tide or the waters being blown out by long North West winds. This Deponent further saith that at this time the whole space between the said wharves is covered with water—I^c Griest—March 24 1785—Sworn before Geo Gould Presbury.

The Deposition of John Moale Esquire, aged fifty years or upwards, who being Sworn on the Holy Evangels of Almighty God, on the tract of land called Rogers's Inspection, deposeth and saith, that the space to the South from Philpots Hill, between the two wharves lately began by Thomas Yates is now and has always been covered with tide water, and that this Deponent does not recollect ever to have seen the said space dry that within about two years past he saw the flatts appear shoal and a Channel near the point inclining round the shore of said Hill, that this Deponent doesn't know of what depth the water was at that time he saw it shoal as aforesaid neither did he see or know of any vessel or boats passing up or down the same at that time, that the said Channel appeared deeper than the flatts to the southward of it, that this Deponent had a flatt laden with flour, which passed down Jones's falls from Moore's Mill, he thinks about thirty years ago laden with twenty or thirty barrels, which passed out as this Deponent believes into the North West branch of Potapsico inclining from a Southern direction rather towards the bank on Philpot's Hill, that this Deponent does not recollect ever to have seen any flatts loaden

pass in or out of Jones's falls in a south direction this Deponent also saith that he hath seen these waters at times ever since the year one thousand seven hundred and forty-three, that when he first became acquainted with these lands he does not recollect ever to have seen the Island now at the mouth of Jones's falls, altho' he has been fishing about it on the Eastern bank of the falls near to it, that when this Deponent had heard that John Bond had taken up the Island aforesaid, he was induced to take some Notice of it, and does not think it was one quarter so large as it appears at present, this Deponent also saith to the westward of the point now shewn the surveyor there was a brig built, upwards of thirty years ago by one Sligh, this Deponent also saith that between twenty and thirty years ago flatts and other vessels in order to get up said falls went to the Eastward of the wharf carried out by Thomas Yates at the mouth of the falls inclining towards Philpots Hill aforesaid, there being as this Deponent hath been informed the deepest water—John Moale—Sworn before Geo. Gould Presbury March 1785.

The Deposition of Benjamin Griffith of the County of Baltimore, aged forty eight years or thereabouts who being sworn on the Holy Evangels of Almighty God, on the tract of land Rogers's Inspection, near to Yates's Upper Wharf, deposeth and saith that this Deponent came to reside in the Town of Baltimore in the month of May, in the year seventeen hundred and sixty three, that the space to the Southward of Philpot's Hill, between the two wharves began by Thomas Yates, is at this time, which is common low tide, covered with tide water, that ever since he became acquainted with this place, it always has been covered with tide water, except at very low tides occasioned by long north west winds, when the flats to the south of Philpot's Hill, have been uncovered by water, this Deponent also saith that he has seen, about thirteen or fourteen years ago, when the tides were high, scows, that used to carry one hundred barrels of flour, laden pass out in a South direction from the mouth of Jones's falls into the bason, that when the tide was

low, the Scows used to stear more easterly, after leaving the mouth of Jones's Falls, that this Deponent about ten or twelve years ago first discovered the space of ground to the Southward of Philpot's hill, between the two wharves began by Yates uncovered of water, it being at very low tides, occasioned by long north west winds, this Deponent also saith that when the flats to the Southward of Philpot's Hill, were bare of water, occasioned by long north west winds, no scow could pass from Jones's falls, into the bason, around Philpot's Hill, that this Deponent remember a scow to have got aground on the mud coming down from Jones's falls near the spot, now shewn the Surveyor in attempting to get into the Bason around Philpot's Hill, That this happened before the Channel broke out, on the north west side of the Island, which was about the year seventeen hundred and seventy-two or seventeen hundred and seventy-three, occasioned by a large quantity of Ice and other things coming down Jones's falls, at a fresh and damming up at the mouth thereof, that since the Channel made a course on the north west side of the Island, the water has been deeper, on the west side of the Island than on the east side, This Deponent also saith, that he has seen, the space to the Southward of Philpot's Hill between the two wharves so bare of water, that nothing but a small drain, which ran around Philpot's Hill could be discovered, which carried down all the water, that run from Jones's falls into the bason, that he thinks the water at those times, that came down, Jones's falls and ran around Philpot's Hill was from six to twelve Inches deep, that Jones's falls was so shallow in many places at those times that boats could not pass or repass up the falls to Griffith's bridge this Deponent further saith, that when he first saw the Island, at the mouth of Jones's falls, he thinks it was at least six times less in size than it is at present, and that it has constantly increased to the southward and westward but not at the north end, as he thinks it has decreased on the north side, this Deponent further saith that at common high tides, there was water between Harrison's marsh and the north end of the Island, that at low tides he has

seen boys walking from Harrison's marsh to the Island it being bare of water at those times this Deponent also saith, that the distances between the South end of Harrison's marsh and the Island, at common high tides, might be about thirty yards or thereabouts, this Deponent also saith that he has passed out from Jones's falls into the bason with Scows laden, around Philpot's hill, and that he was in the Scow, that ran aground, as above mentioned in this deposition the tide being too low, for the purpose of her passing out, in that or any other direction, this Deponent also saith that the spot now shewn the Surveyor is the place near the Scow above mentioned ran aground, and also that the place shewn by this Deponent to the Surveyor as the South end of the Island, when he first knew it is near to the spot, where the South end of the Island terminated and that the said Island has been growing at the South end gradually ever since this Deponent also saith, that between Yates's lower wharf and fells point and Yates's upper wharf and Buchanan's wharf, the space has always been covered with tide water, since he became acquainted with the same, except at very low tides when there were long north west winds blowing—Benj. Griffith—Sworn before Geo. Gould Presbury—April 29th 1785.

Samuel Messersmith of Baltimore County aged fifty years or upward who being duly sworn, on the Holy Evangelists of Almighty God, deposes and saith, that at this time, the whole space between the upper and lower wharves began by Thomas Yates, is covered with tide water, that he considers this to be a common tide, that all the said Space has been covered with tide water, ever since he knew this place except at very low tides and has known it ever to be naked of water, only within this fourteen or fifteen years past, that when he first knew this place the water was much deeper, and it is now two and thirty years since this Deponent first was acquainted with these waters, and the lands adjoining having lived in Baltimore Town from that time, except about two years, that the times when he has known the space, between the said wharves, uncovered of water

within these fourteen or fifteen years past, have been when the tides have been uncommonly low, owing to the north west winds having blown, with severity for a length of time, but that at common low tides, the space between the said wharves is always covered with tide water, when this Deponent was first acquainted with this place, in going down Jones's falls in boats, that would carry ten or twelve people they went straight out, in a south direction, into the bason or north west branch. This Deponent saith that some time in the year seventeen hundred and sixty-four coming up the river in the night, in a wood flatt, loaded with rails, he attempted to go up Jones's falls in a straight direction, but found the passage too shoal, he then went some distance down and endeavoured to discover a Channel nearer the shore adjoining Philpot's hill but after proceeding some little distance, up the place, where they hoped to find a Channel, and after frequently getting aground, they could not get further, and therefore unloaded their rails on Philpot's land, that this was to the westward of the Cove, the Deponent further saith he knew of no navigation for flatts from the falls but near under Philpot's Hill, it being accounted the deepest water, but that he had but little knowledge of the navigation nor does he remember that he ever knew any flatt attempt to go straight out in a Southern direction from Jones's falls, so as to be able to say that they could not go out, until of late years within about twenty years or some thing more, he further saith that he never knew any boat of any kind, to pass up or down Jones's falls in any channel near Philpot's hill, when the tide was so low, as to leave the flatts naked of water further out to the southward, that he never knew the tide so low, but that there was a drain of water runing down from Jones's falls through that part of the flatts near Philpott's hill, but never attended to it's width or breadth, but at a time when the flatts were not quite bare or uncovered with water, this Deponent remembers that they were not able to row a scow, which was empty through the drain or Channel around Philpot's hill, but that they got out and pushed her along keeping her in the deepest water, this

happened about thirteen or fourteen years past, and before the falls broke out, on the west side of the Island, this Deponent saith, that when he first knew those waters there was no appearance of the Island at the mouth of Jones's falls, but that about two years after he remembers there appeared a small bank of sand at the upper or northern part, next Harrison's marsh & that it has since gradually increased to it's present size and appearance, that he remembers the Gutt in Harrison's marsh, to have been navigable for small Canoes, as far as Market street. (The Surveyor having sighted a western course from the lower stone on Philpot's point set up as the beginning tree of Coles Harbour and Todds range) the said Samuel Messersmith further saith that the Island when it first appeared and for a number of years afterwards was to the north side of the said west course and lay adjoining Harrison's marsh, that the said Island was also much to the north of a western course sighted from the upper stone and also lay considerably to the north of a line extended from the upper stone in a straight direction, to the post planted and set up, as the second boundary of Todds range, near the beginning of Baltimore Town—Samuel Messersmith—Sworn before Geo. Gould Presbury April 29th 1785.

The Deposition of George Gouldsmith Presbury Surveyor of Baltimore County, who being sworn on the Holy Evangels of Almighty God deposeth and saith, that this Deponent was Surveyor of Baltimore County when the Certificate of a Survey called Bond's marsh resurveyed was executed for Nathaniel Smith, that this Deponent, as well as he can remember made out the said Certificate from a certificate and courses, that appeared to be in the hand writing of a certain James Calder and were delivered to this Deponent, by Nathaniel Smith for the purpose that this Deponent did not run any of the Courses of the said Survey, neither were there any chain carriers sworn or summoned to attend at making the said Survey that this Deponent never did run the Courses of the said Survey at any time before or since the Certificate was returned to the land

office by this Deponent, this Deponent further saith that he hath actually measured and sounded the depth of the waters of the north west branch of Potapsco, as delineated on the platt returned in this Cause in blue figures, and that the said waters were at the time of this Deponents measuring them of the depth, as on the said Platt is ascertained that when this Deponent measured the said waters and sounded their depth, between the two wharves began by Thomas Yates, it was at a midling or common tide—Geo. Gould. Presbury—Sworn to before me the Subscriber this 10th day of May 1785—W^m Russell.

(To be continued)

EXTRACTS FROM ACCOUNT AND LETTER BOOKS OF DR. CHARLES CARROLL, OF ANNAPOLIS.

(Continued from Vol. XIX, p. 192.)

Aug^t 16th 1731

S^r

Mr John Townsend of Patapsco is indebted to you and for w^{ch} I have past bond with him to Mr Dulany as y^r Attorney here. Townsend aledges that you have Tobacco of his in your hands unaccounted for. I desire the favour you will send me his acc^{tt} Curr^{tt} as the same is now with you and the Ballance shall be paid the next year.

Pray write again to y^r correspondent at Bristol relateing to Thorps affair what you can get there will be of Service to me—if anything shall write you by Jones, . . .

To Mr W^m Hunt ☞ Capt Uriel

Mr Thomas

I rec^d yours 24th Inst & know no affair I have with you on the subject.

If any Ballance due from me to Mr Hanburry shall be thankfully & with pleasure paid, but shall not settle the affair of Goodmans on any other foot then already desired Mr Hanbury viz. to charge me back again with any Cr given w^{ch} I take to be Honest State as for your conduct in the affair it gives me room to believe that if you have any advantage against me you'l make use thereof & I'm very far from desireing any favour of you . . .

Aug^t 25th 1731

To Mr Phillip Thomas

Aug^t 25th 1731

Sir

I have yours relateing to Godmans Bill, I did before desire you to charge me back again with any Credit given me on that Account as I now do again which I think to be the Honest & just way to settle that matter.

You are sensible that I could do no less than endeavour to secure that money as soon as I received the Protest, which I did by sueing Godman before I had notice of your having Credited me therewith. I am very far from desiring that you should be a Loser by that or any other Correspondence with me nor should I be at all ungratefull for any Favour, but I think that on this Subject there has been more Stir than needed & that your putting it into the Power of your Attorney Mr Thomas to insult me was a little unkind since the Affair might as well have been adjusted by yourself.

Whatever Concession I may make to you on this Subject you may assure yourself 'twas wrong to Think that any may be extorted from me by the Pertness of your Attorney Mr Thomas who I presume valued himself upon having a Demand on me & exposing y^r Acc^t to severall & from whose Conduct I have Reason to think would (if in his Power) Distress me.

The Difference on the whole is such a Trifle that I would chuse rather to give you such a Sum than that you should

Imagine I had used you unkindly therefore I refer to y^r self alone unless M^r Thomas should Commence Law (of w^{ch} he seems fond) to charge me what you think may Content you but at the same Time be assured I am convinced that to Charge me back with the £7..19..0 is the Just Method of Stating the Account but to avoid Dispute request to have no Affair with M^r Thomas with whom on no Terms will I treat.

You had two Notes of mine which I desire the Favour you will send me by the first Convenience which with this being adjusted as before will conclude our Affair hitherto & if any Ballance due to me (w^{ch} I expect) Carry it to Cr in a new Account to commence further Correspondence which shall be on all Convenient Opportunities on my part.

I have never received the Acc^t Sales you mention of three hogsheads & Cask.

I shall be glad to have it in my Power to serve you wherein I may here & believe that I am with due respect . . .

To M^r John Hanbury Merch^t in London.

26th Aug^t 1731

Sir

You will receive in the Lee by Capt Magier Twelve Hogsheads of Leaf Tobacco both good in its Kind, and Weighty; on the Joint Account of my self and M^r James Earle Junior: w^{ch} Tobacco I hope will sell well, by its quality & weight.

I desire you will Credit me in Account with One Moity of the nett proceeds thereof when sold: My Ocations Requireing it, shall draw on you at Sixty Days Sight payable to M^r Daniel Carroll for Twenty pounds which desire the favour may be discharged (after they come to hand) in due time.

What my part of the Tobacco cleeres more I request you will send me its value in Brown Oznabriggs by some Ship Entering at Annapolis. . . .

To M^r James Buchanan Merc^t in London

This & Capt Magier in the Lee. Copia.

4th 9^{br} 1731

Sr

This Incloses bill Loading for five H^{ds} Tob. Ⓢ Hart. You will allso receive Eight Hogshead shiped by Mordecai Hammond John Ross and my self Each a third concerned with w^{ch} when sold please to Cr me in Acc^{tt}.

Shall make you remittance in full to Ballance with all convenient Speed.

To Mr P. Smith Ⓢ Hart.

Maryland Nov^r 5th 1731

Sr

This incloses Mr Micheal Taylors Exch^a on yr self to twenty pounds w^{ch} if good please to Cr me in Acc^{tt} if otherwise, return Ⓢ the first opertunity.

To Mr Phil. Smith merc^t Ⓢ Hart in London

Copy & Second bill Ⓢ Capt Gray.

Nov^r 6th 1731

Sir

One James Harlow now in this Province Claims Right to a House in North Yarmouth called the Chequer Inn; on the Key; with some grounds thereto belonging he says that his father Died thereof possessed and had no other Children [but] himself.

The man has been in this Province this Thirty years past seems to be very positive of his Right & has desired I would make some Inquires therein. I desire the favour you will write to some person at North Yarmouth to Enquire therein & by what Right the person who now holds that house claims. And by the first Ship let me have what answer you Receive w^{ch} will very much Oblige . . .

To Mr P. Smith.

Annapolis in Maryland Nov^r 9th 1731S^r

By the Will of your deceased Brother M^r Thomas Simson a copy whereof has been transmited you by M^r George Douglass of this Province there is a Bequest of One Thousand pounds Ster. made to William Pouteny late of this Province, but since of your Island deceased and thereby the said Pouteny is constituted Joint Executor of y^r said Brothers Estate.

I take this Opertunity by Cap^t Evan Bevan to acquaint you that I am (by Relinquishment of administration made by the Widdow of the said Pouteny and as his Cheif Creditor) Administrator of the Aforesaid W^m Pouteny and thereby have the Sole right to Receive the said Legacy, as allso Jointly with the Other Executors in your Brothers Will mentioned. Intitled to the Executorship of his Estate as adm^r of said Pouteny.

I am not insensible of the Advantage that may attend the Executorship of your Brothers Estate but as my Own affairs Require my stay here rather than take the trouble of a Voyage to your Island I am willing to Renounce my right of Executorship or Administration of your said Brothers Estate to you On this Condition that you give me Security for, or pay me the said One Thousand pounds Ster. bequeathed to the said Pouteny as allso The sume of five Hundred pounds Curr^{tt} money of your Island w^{ch} last sume I take to be but a small compensation for the third part of the profits attending the Executorship of your Brothers Estate w^{ch} by Law is my undoubted Right and I shall not faile to assert unless you and I come on terms as above.

As the former Sume of a Thousand pound will onely pass through my hands as Administrator must insist on its payment in money but the latter (to make matters Easie to you) I would take in Sugar, Rum, Mollases or other Merchantable Commodity of your Island & that in Reasonable time. As for the Other persons concerned here as Executors or Legatee's I believe, had I your Instructions I could make matters Easie

with them w^{ch} I shall be ready to do or any other Service I can for you relateing to the Afores^d Will and that with the utmost Security & Integrity provided you shall please to Command me.

There has been one Mr Deays a Scotch Gent. here within this week who made applycation to our Comissary Generall Endeavouring to make void the will made by y^r Bro^r here in favour of one made by him before at Philadelphia but I think that he rather confirmed it, and more pticularly by the similitude of hands for it's not to be doubted but the will here is all your Brother's hand writeing w^{ch} can be proved by more then the Subscribeing Evidences if necessary.

If you'l please to favour me with a line please to Direct for Doc^r Charles Carroll at Annapolis in Maryland.

To Mr John Simson in Jamaica to the care of Cap^t Evan Bevan.

S^r

The Inclosed letter is for a Gent in Jamaica Bro^r to Mr Thomas Simson who was one'st in y^r City, and as I apprehend that you are going to Jamaica presume to Request the favour of your care thereof. I did not Know where to direct to him in pticular but as it concerns me in a singular manner must pray you care to put it in a safe way of being delivered, or if you go to the part of the Island where he lives that you will deliver it your self and if he gives you any Answer transmit it to me.

I hope you will excuse the freedom I take herein and if in return I can serve you here I shall with pleasure receive your commands. . . .

To Cap^t Evan Bevan in Philadelphia.

Pray when in Jamaica make Enquirey into the Value of what Estate was left by Mr Thomas Simson what it consists of, whether real or personal it's value & in whose hands it is or what may be due thereon and what Account you get be so kind

as to let me have at your return or by some convenience sooner if offers.

A Clause to be inserted in the letter to Mr John Simson.

when I have heard from you if agreeable to my proposal shall transmit proper powers, Instructions & what further shall be needfull to your Island for the purpose.

Annapolis November 9th 1731

Sir

This incloses bill of Loading for four H^{ds} of Tob ^{to} Capt. Jones w^{ch} I hope with what is In your hands before (if sells Anything tollerable) will more then Ball. our Acc^{ts} hitherto.

I want the following pticulars and desire the favour you will send them ^{to} Jones or some other Ship comeing up this way.

I shall the next year Ship you Twenty Hogsheads of Tobacco, but acquaint you that my affairs Require about a Hundred pounds w^{ch} I must request you will Answer for me as I shall advise you w^{ch} shall be ^{to} Thornton or some other of your Own Ships.

I shall take it kindly if you will let me know whether I may rely on you, for that other wise by being too forward I may suffer.

You may assure your self that alltho my Tob should fall short you shall be very Safe in that or any other favour you have or shall do . . .

To Mr W^m Hunt.

One pair of white Tabby Stays according to the Inclosed measure value Two & thirty shill.

1 Dozⁿ Grubing axes

20: M 10^d nails

10 M 8. Ditto

3 peeces Brown Oznabriggs

2 peeces White Ditto

One peece Welsh Cotten

1b ss Mer Dulcis	}	28 Lytharge
1b ss Saffron		1b ss Rhubarb
1b j Opium		100 popy heads
28 lb Crem Tartar		6 Lancetts
1b ss Camphir		
Petter 2 grose vials sorted		
2 grose potts sorted		

Maryland November 23^d 1731

Sir

Inclosed is a Bill of Exchange drawn by George Robarts on Thomas Onion at Breer Wood in Stafford shire as allso a Letter of Advice relateing Thereto w^{ch} when perused please to seal & send with the Bill to some person at Woolver Hamton to demand & receive if paid.

There is one M^r John Hays an Attorney lives at Woolver Hamton who drew the power of Attorney by w^{ch} Onion sold the Ground & House of the Drawer who is well aquainted with the affair & may be a proper person to Employ there or at least to be advised with. The money is certainly due to the man & Onion is well able to pay it if you'l be so kind as to put it into good hands there who may urge the thing in proper manner, for if the money is paid it will be of singular Service to me as well as the man. It may not be Amisss for you to Instruct The person you send the Bill to, to negotiate, that if Onion should not be in Cash to pay it Imediately that he may give him some reasonable time provided he asumes the payment.

If Onion should insist for any further discharge from the man here I will send it him as he shall desire w^{ch} you may asure for me.

If the money is paid I desire you will send me the Contents of the Inclosed Invoice P Hart or some other Ship comeing up this way & insure on them.

To M^r W^m Hunt merc^t in London.

100 Yards Coorse Cloath called fear not	£7..10..0
4 peeces Coorse Kersey's at about 25 ^s Ⓕ	5.. 0..0
1 Doz Grubing Axes	—..18..0
40 M 10 ^d Nails flatt point	5.. 6..8
5 M 20 ^d nails	1..16..0
20 M 8 Ditto	3..16..8
1 Doz. broad & 1 Doz. narrow hoes	2.. 0..0
40 Yards Coorse Blanketing of 20 ^d Ⓕ	3.. 6..8
2 Barrell Gun Powder 2	5.. 0..
2 ^c Swan & Duck Shot	1..15—
1 ^c Lead in Barrs	}
1 Gross Gunflints	
1 peece blew Duffells of about 4 ^s Ⓕ yard	0..12..
	6.. 0..
	<hr/>
	38.. 7..
	<hr/>
12 ^{lb} Coloured Thread	0..18..0
4 ^{lb} Whited Brown	0..14..0
4 ^{lb} Brown Thread	0..12..0
4 Doz ⁿ Men's felt Hatts	4.. 0..0
2 Doz ⁿ Coarse Castors	4..16..0
2 peeces Garlix Holland of about 20 ^d Ⓕ y ^d	3.. 5..0
2 peeces Dowlass	3..—
4 peeces White Oznabriggs at 45 ^s Ⓕ	9.. 0..
6 peeces Brown Oznabriggs	15.. 0..
100 yards Good Welsh Cotton	6..12..
6 Ruggs of about 12/6 Ⓕ	3..15..0
200 Ells best Hempen ropes	5.. 0..
	<hr/>

Sr

As the Settlement of the Back part of this Province to the Westernmost Limits thereof will not onely prove of Utmost Service to his Lordship the Lord Proprietor but to the Province in Generall, a thought on that Subject & a probable means of doing it, I conclude may not be unacceptable to you—but

I am first to Intreat your pardon for the freedom I presume to take.

The Lands to be settled are a great Distance from the Heads of the Navigable parts of the Rivers falling into our Bay, & indeed are at present Inaccessible for want of Commodious Roads w^{ch} will render it Impracticable for the first Settlers to make Tobacco their Trade or Staple; & likewise as they must be a great Charge & trouble to make Settlements & require a considerable time before they can have grain Stock or other Commodities' to Spare for Markett, or for the common necessary's of life, it will therefore require some Incouragement to be given by the Government to Induce people to come into the Province & settle these back and Remote parts w^{ch} may allso prove of good consequence in a case but too little minded at present in Strengthening his Majestys Dominions to the Westward against the Daily aproach of the french Settlements on the Branches of the Mississipi.

I submit to your consideration whether a Law obtained to the following Effect may not be a feasible means of Encouraging such Settlements to be made.

In the year 1726 an Act past for the Encouragement of Tilage (Body of Laws folio 294,) wherein a provision is made onely for such as should Transport themselves hither out of that part of Great Brittain called Wales &c.

Now on the present ocation such a Law made Generall to all his Majesty's Subjects coming to Reside within this Province and setteing themselves and famelys at any Distance Exceeding Twenty five Miles from the Navigable parts of the Rivers falling into the Head or westernmost side of Chesapeake Bay and not makeing Tobacco, should be free from all manner of Taxes, for & Dureing the Space & terms of Ten years next Insueing the 25th day of X^{br} after their making such Settlements and for Rendering Certain the time of their arival in Maryland, and makeing settlements as afores^d That each Master of a Famely be obliged to get a Certificate of his coming into this Province & haveing made such Settlement &

the time when, from the next Justice of the Peace, such Cert. to be kept by the party for his Indemnity & that such Justice be obliged to return copys of such Cert. to the Clerk of the County on the next March Court & that the said Clerk be obliged to Record the same. How much his Lordship would contribute to such Encouragement I refer to you but it's certain that the greater the Indulgence the more would Imbrace it, and should his Lordship think fit to Include, that for such term of years such settlers should be Exempted from paying Rent as well as Taxes Each famely not Exceeding in Quantity 400 acres it would the sooner take with the Legislative Body here as well as the Settlers. And as such people would be intirely Out of the way of makeing Tobacco (& ought to be kept so) at the Expiration of the term aforesaid, it would not be Improper to consider that in case payments continued to be made in Tobacco for Publick Taxes, that in Lieu of Tobacco they may be Enabled to discharge such Taxes with Wheat Hemp or Flax at Stated prices or rather Hemp for Encouragement of Naval Stores a Clause allso in such Act to make, at a Provincial Charge Two or three main Roads Leading from the most Convenient Landings to the Westernmost Limits of the Province would be a considerable Inducement.

Such Law to Continue in force for the space of Twenty one years, I may venture to say would produce a well Improved part of his Lordships Province w^{ch} at present is a Waste & stands liable, & is threatened to be made the Property of our neighbours of Virginia & Pennsylvania, they being much more active in such cases then I have hitherto Observed any here to be.

Should this Slight hint be of any consequence I shall think my self more then recompensed by takeing this Opertunity of asureing you that I am with great Esteem & Respect

S^r

17th Feb. 1731

Y^r most Humble

To His Exc^y Samuel Ogle Esq^r
present:

& obedient Servant
C. C.

Annapolis feb. 27th 1731

Sr

Above is Copy of a former to you in w^{ch} hope you'l do the best you can.

I rec^d yours ꝓ Capt. Watts with Thorps protest I do not care to run the risque of my own money or Credit in other peoples Law Suits therefore I think not to meddle any further with that affair unless it were attended with the greatest certainty, Tho I believe there is a Ball. due to Thorpe w^{ch} he would compound for at reasonable Terms & if they could be brought I would send further Instructions. If this money can be had of Onion it will be of Singular Service . . .

To Mr W^m Hunt merc^t In London ꝓ Capt. Oliver.

Messieurs

Inclosed are the following Bills of Ex^a drawn by M^r James Moody for Three hundred Milreas as also M^r Hugh Mathews for one hundred sixty five Milreas drawn on said Moody with a Letter of Advice to y^rselves of the said Draughts.

One hundred sixty five Milreas of the said money as ꝓ the Tenor of the said Bill is to be paid in Wine at Price Current & which I desire you will Ship in the Briganteen Saint Andrew belonging to M^r James Donaldson being bound here by way of Barbados & Consign the same to Doct^r Charles Carroll at Annapolis.

The remainder of the said Bills being to be paid in money amounting to three hundred Milreas I desire you will remit in Bills of Exchange to Capt. John Hyde & Company merchants in London on my Account as above.

If the Bills should not be paid within Time & that this Vessel stays that Time, I desire you will return them under protest.

Annapolis in Maryland May 20th 1732

To James Moody on James Moody in Wine	165
To Ditto on Ditto in Cash	135
To Hugh Mathews on James Moody	165

Milreas 465

To Mess^{rs} Walter & Robert Scott
 Merchants in Madeira

Messieurs

Before is Copy of what I wrote you @ the Saint Andrew.
 Inclosed are the seconds of the Bills of Ex^a @ Capt. James
 Moody.

In Case of the Nonpayment of the first & that on his Arrival
 there his Affairs may induce you to pay or he himself Pay
 I desire you will transmit in Bills of Ex^a for my use to Capt.
 John Hyde & Company Merchants in London the three hun-
 dred Milreas which is to be paid in Cash & the Wine also pro-
 vided you can again Dispose of it at the Price he pays it to
 you otherwise I desire you will keep the latter in your Hands
 till a good Opportunity offers of it to me Consigned as above.

If the Bills are not paid I desire the speediest return of them
 you can Protested.

Annapolis in Maryland June 1st 1732

To Mess^{rs} Walter & Robert Scott Merchants in Madeira.

Annapolis Maryland July 1st 1732

S^r

I have yours @ Brooke 15th Aprill last and observe how
 assiduous you are for Godman when what I did was but to
 secure my self for that on the rec^t of the protest I immediately
 commenced an Action against him w^{ch} I had a very good Right
 to do & accordingly tho' with loss of Costs secured the money
 to be paid but not Immediately then as you observe. that money
 came very justly to my hands and I think not to adjust it in

any other manner with any desiring a Right under Godman who have no right of demand on me for that or any thing else.

Now with regard to your self as I before wrote you I should not be backward to do anything to keep up a freindly correspondence nor do I value a trifle to avoid any dispute with you but for you to put it in the power of your pert Attorney to Insult me was a little Unkind.

The Ballance now due to me allowing your charge of Intrest & protest of Godmans and other Bills is £2..18..6 w^{ch} sume if you have a better Right to then I have you must keep but by the by you will give me leave to think that its a good deal arbitrary & that in An English Government to keep my notes and money too. I am not content with your writeing me that them notes are cancelled & therefore I request you will deliver them to M^r Phillip Smith to whom I have wrote about them for that by your keeping them it may so happen that I or my heirs may here after be called to account for them.

Either your Captains or Attorney are very curious for that your last to me was opened and again sealed before I had it and am Satisfied it past thro their hands. We are Ignorant and Sufficiently passive in this part of his Majestys Dominions wherefore it's unkind in you Gentlemen who are versed in all knowledge and at the head of affairs to Impose too much on our weakness and add tortures to the afflicted.

I hope in your next you will set this affair Right for the above Ballance send me its Value in green Tea & without Solliciting for Godman leave him or his to their Action against me nor you take the seat of Judicature in which you certainly must think out of the Way if you persist therein.

I could wish this adjusted to have an opportunity of further Correspondence which cant be while such Mistake Subsists for to be plain if you retain the former Ballance I may conclude you would more did I put it in y^r Power.

I hope youl pardon my plain way which I may as well express as think & you yourself would Censure me did I do

neither I assure you I have a Respect for you & your Interest
& heartily wish well to both.

To Mr John Hanburry Merc^t in London ꝓ Capt Davidson.

Maryland Aug^t 14th 1732

Mess^{rs}

I remited to Mess^{rs} Robert and Walter Scott Merch^{ts} at
Maideras Bills of Exch^a payable there in May last for 300
Milreas with directions if the said Bills were paid to procure
Bills of Exch^a there and remit to you to London which I hope
will be done.

I am sorry to be so long in Ballance to you w^{ch} I'm well
asured you do not want, but hope to be able to make you suit-
able returns for all favours w^{ch} I assure you I shall not omit
doing on all ocations . . .

To Mess^{rs} Hyde & C^o Merchants in London ꝓ Capt. Hoxton.

Maryland Aug^t 14th 1732

Sir

Inclosed you have 1th Bill of Exchange drawn by Rich^d
Wilkins on Hannah Wilkins near Tauntors Dean for 16[£] Ster
& I believe will be good w^{ch} if I desire you will Credit me in
Acc^{tt} with.

I hope you'l pardon me for the freedom I take to witt have
drawn a Bill of Exchange on you of this date at Sixty day's
sight payable to the Rev^d Mr Peter Lustian for fifteen pounds
w^{ch} I request at time you'l pay.

I hope ere this Russell will be with you in whom are Effects
for that and a small bill w^{ch} I shall Draw to Mr Hen. Darnall
w^{ch} circulateing in y^r Own hands must request your compliance
& if anything short in remittance this shall be with thanks
made up the Ensueing year. I am with kind respects to M^{rs}
Black & you . . .

To Mr W^m Black.

7br 14th 1732

Sir

Inclosed is Bill Loading for 4 H^{ds} Tob & D Russell second bill Exch^a of R^d Wilkens on Hannah Wilkins and Letter of advice relateing thereto in w^{ch} I desire you'l do the needfull.

Capt Williams forgot to discharge the Inclosed Acc^{tt} w^{ch} I desire you'l receive of him & pass to my Credit.

in mine of the 14th last month I advised of a Bill of Exch^a I had drawn on you payable to M^r Peter Lustian for fifteen pounds & w^{ch} I desire you'l discharge.

I shall have ocaation to draw on you for a small sune payable to M^r Henry Darnall w^{ch} Circulateing thro your hands request the favour you'l discharge tho Effects should not now answer shall be soon Remited and any favour of that kind duely acknowledged.

To M^r W^m Black mer^t in London & the Hume Capt. Russell.

Maryland Oct. 27th 1732S^r

By Capt Gray you will receive 8 H^{ds} of Tob & H^r Hurt you will have more w^{ch} with what in Hand if sells any thing well will more then Ballance our acc^{tt}s hitherto, and as my affairs do at present require your further friendship hope you will continue it; by sending me in some ship bound up this way the contents of the Inclosed Invoices of Goods & Medicines and likewise Answer for me some drafts I shall have ocaation to make on you not Exceeding sixty pounds of w^{ch} shall advise as I draw. I have of the 18th Instant drawn on you payable to Mordecai Hammond for nine pounds fifteen shill.

I spoke to M^r Chapman of my ocaation as above who promised to write you & Gray & you may be asured of a speedy remittance for what you are in advance for me & that you shall not be a Looser by any good office you are so Kind as to do

To M^r Phill Smith & Gray.

Maryland X^{br} 13th 1732

Sir

I desire you will pay to the Executors of Rich^d Burbydge the sume of Twenty three Pounds six shills and Two pence Ster—they delivering you up Two Bonds signed by me in London dated the Eighth day of February 1724 for fifty pounds as also sign to you on my behalf a discharge in full of all demands & the said Sume of Twenty three pounds six shil & Two pence charge to my account as ^{tho} advice . . .

To M^r Phil Smith Merc^t in London.

13th X^{br} 1732

Gents,

I have from Mess^{rs} Robart & Walter Scott Merchants at Madeira the second of their Bill of Excha on M^r Joⁿ Keith merc^t in Lond^o for £79..9..6 payable to you in my favour w^{ch} hope ere now is carried to my Cr.

I desire the favour that what Ball is due you will send me it's value in Brown Oznabriggs by some ship of y^{rs} comeing near Annapolis you have att^d Tob. between James Earle & me unaccounted for . . .

To Mess^{rs} Hyde & Co.

Maryland December 16th 1732

Sir

Above is Copy Myne to you ^{tho} Gray of 27th Oct^o last & request the favour of your compliance.

Inclosed are copy's of the Invoices sent ^{tho} him as also Bill Loading for 13 Hogsheads of Tobacco ^{tho} Hurt the first Bill of Exchange of Cassandra Cole on Joⁿ Hyde & C^o for 100[£] w^{ch} I hope will be good & I desire you will pass to my Credit.

I have Drawn the following Bills of Exchange on you & an order payable to the Executors of Richard Burbydge—dated all as underneath. According to the Tenor of that order I

request you will get in my Two bonds & a General discharge from the said Executors.

I allso request the favour you will order one of your Clerks to get two notes of Myne of M^r John Hanburry he has been paid their contents & I wrote to him to deliver them to you, he is in Ballance due to me so that he can have no Excuse in detaining them. I hope you will Excuse this trouble, & where- in I may shall freely retaliate y^r favours.

I hope you will at time discharge my severall drafts . . .

To M Phil. Smith ☿ Hurt.

1732

X ^{br} 14	My Exch ^a to George Hurt	£20..—
13 th	my order to the Executors of Rich ^d Burbydge	23.. 6..2
19 th	my Exch ^a to Daniel Carroll	20.. 0..0
	my Ditto to James Donaldson	30..—
		<hr/>
		£93.. 6..2

I Endorsed the following Bills w^{ch} If not paid on the Drawers account I desire you will pay for my Honnour & send to me protested vid.

Henry Hall on Self	15..13..
Benj. Laurence on W ^m Hunt	25.. 0..
D ^o on W ^m Black	8.. 4..7
	<hr/>
	£48..17..7

Sir

Above is Coppy of part mine to you ☿ Hurt wherein I request your compliance.

Inclosed is the second of Cassandra Coal on Mess^{rs} and C^o for £100 w^{ch} being paid I desire you will pass to my Credit.

I request you will order the Inclosed to be forwarded and in case that one William Rix a young man a Wheele Wright by Trade aplys to you That you will have him indented to

serve me here for 4 years allowing wages at ten pounds ꝯ Annum this money, send him in one of y^r ships or any other coming this way & charge me his passage his Father lives with me & desires it may be so ordered . . .

To Mr P. Smith 9th March 1732 ꝯ Uriel.

Annapolis April 25th 1733

Gent.

Since the Accidental Account I received of the Death of your Father & Grandfather I have waited expecting to hear from you which I think I might reasonably have hoped for but find I am not to be favoured that way You then I hope will excuse this trouble for as I understand that Mr Philemon Blake is going to England & whose Bond I have jointly with his deceased Father to abide a Decree made in the Chancery Court here. I therefore expect further Security for a Compliance before he goes.

I am further to acquaint you that as the Absence of y^r Father had hitherto put it out of my Power to take proper measures to get a negro Girl belonging to my Wife which you have that now I expect that that Girl (with her Increase if any) be delivered to me. As its my Inclination to avoid Disputes I hope for a Compliance otherwise you cant justly impute any Consequence to me. . . .

To Mess^{rs} John & Philemon Blake at Wye River.

Sir

I hope you will pardon my giving you this Trouble which I presume to do by Reason it may prevent any further misunderstanding between Mr Blakes Family & me which is what I would have heretofore avoided had not the Treatment I met with extorted a justification & really I cant Chuse but think from the Conduct of the Young Gentlemen that they are re-

solved to follow the Maxim of their Father with Respect to me & my Family.

Since I accidentally heard of the Death of their Father & Grandfather I have not had a Line from them nor when my Wife was at Wye did they take the least Notice of either or the Affairs of their Family to her as if she were the meekest Stranger or were no Way concerned in the Consequences thereof which Conduct seems to me like Despising both me & her. However such Treatment may Deserve I slight it; & now only desire that as Mr Philemond Blake is going to Europe & whose Bond I have jointly with his Father for abiding a Decree of the Chancery Court here that before he goes he will get me further Security to that Effect or otherwise I must put a Stop to his Voyage.

They are in Possession of a Negro Girl promised me by Mr Blake & which in all justice was & is the Property of my Wife to the Knowledge of the whole Family & of which with her increase I now make a Demand of them.

Mr Blakes Absence out of the Country had hitherto prevented my taking Legal methods to obtain her but that Objection no longer remaining I expect her from those whose Possession she is in.

If y^r friendly interfering in this matter may any intrude on y^r Business can only Request you'll order the inclosed to be delivered otherwise what you are pleased to do therein shall be duly acknowledged . . .

Annapolis 26 Aprill 1733

To Rich^d Bennett Esq^r Wye River Present.

Annapolis 26 April 1733

S^r

Inclosed is the first of Exchange of Charles Carroll Esq^r on Mr W^m Black for £47.. 9.. 3 which if paid I desire you will put to my Credit otherwise return me protested. . . .

To Mr Philip Smith Merchant in London.

Sir

I have had a Land Warrant for some time past in his L^{dps} Land Office to be renewed & to that purpose have applyed to y^r Clerk who refuses to do it unless I sign a judgement Bond or pay at the Rate of ten shillings \textsterling Cent. for the Tobacco Fee. I think its forty four Pounds of Tobacco the usual Demand for such Service & I have told y^r Clerk that I was ready to pay the Tobacco out of my Warehouse here in Town that Instant & you are sensible that money being scarce cannot be commanded at all Times. I have no objection against paying y^r Fees & if you will take them in manner as above according as the Business is Done. I am ready to pay them, or if you chuse to stay till the usual Time of paying Tobacco shall be ready to pay in gross whatever shall be due but hope you'll not detain my Business insisting on Bonds for every Trifle, & accordingly give Directions to y^r Clerks. . . .

3^d May 1733 To Edm^d Jennings Esq^r

3^d May 1733

Sir

As I apprehend his L^{dps} Land Office is regulated by his Lordships Pleasure & being well assured that his L^{dp} will impose no Fees on his Tenants than such as are just & reasonable am therefore the readier to come into Compliance with your desire Viz. to pay you such Fees as shall accrue on any Business done for me in the Land Office according to such Regulation as his Lordship has made therein.

Altho' I willingly agree, expect that such Charge will be no more to me than others & desire you will accordingly Order y^r Clerk. . . .

To Edmond Jenings Esq^r

(To be Continued.)

GENERAL WILLIAM SMALLWOOD.

ARTHUR L. KEITH,
Vermillion, South Dakota.

The writer has seen several incorrect statements in print, which he desires to correct, in regard to General William Smallwood, Maryland's ranking officer of the Revolution. It has been stated that the General was born in Kent County, Md., that he was the son of Bayne Smallwood, son of Maj. (or Col.) James Smallwood, that he had an only sister (who married Col. Wm. Grayson of Virginia).

Bayne Smallwood, father of the General, certainly lived in Charles County. His father, Prior Smallwood, of Charles County, appointed him executor of his will, dated Feb. 23, 1733. His estate consisting of "Christian Temple Manor" and other tracts lay in Charles County. Bayne Smallwood surveyed "Smallwood's Enlargement" in Charles County in 1741. In 1742 he represented Charles County in the Maryland Assembly. On Nov. 2, 1752 Bayne Smallwood, aged 41 years, Charles County, made deposition (See Land Book 47, folio 212, La Plata). On Aug. 11, 1760 Bayne Smallwood, aged 49 years, Charles County, made deposition (Land Book 54, folio 3, La Plata). The tax lists for Charles County, 1782-83 show "Christian Temple Manor" "Smallwood's Enlargement," and other tracts as belonging to Gen. Smallwood. The writer has spent many days at Annapolis in the Land Office and has never seen one record connecting the Smallwoods of this period with Kent County. Of course there is the chance that the General's mother at the time of his birth was visiting in Kent County, but in all essential ways he belonged to Charles County.

Gen. William Smallwood was not the grandson but the great-grandson of Maj. (Col.) James Smallwood. Col. James Smallwood arrived in Maryland in 1664, according to his application for land. His will was probated in Charles County, Jan. 12,

1714-15. In this will son Prior Smallwood is named. He did have a son named Bayne Smallwood but he predeceased his father. This Bayne Smallwood's will was probated Dec. 2, 1709 in which will he mentions wife Charity Smallwood, brother James Smallwood, other brothers and sisters, and father (not by name). He mentions no children. The inventory shows that his goods are in the hands of James Smallwood, Jr. Therefore, Bayne, the son of Col. James Smallwood, died 23 years before the General was born (1732) and of course was not his father. Prior (Pryor, Prayer), son of Col. James Smallwood, married Elizabeth, widow of Peter McMillion of Charles County, before July 2, 1708, at which time they jointly present the account of his estate. Bayne Smallwood (their son), born (according to his depositions given in 1752 and 1760, see above) in 1711, and not Bayne, son of Col. James, was the father of the General. This Bayne Smallwood died intestate in Charles County, in 1768. If other proof were lacking, it would be sufficient to note that "Christian Temple Manor" comes down in unbroken succession from Prior to Bayne and then to William to whom as Gen. Smallwood it belonged in 1782-83. Priscilla Smallwood and William Smallwood present account of Bayne Smallwood in 1770 and 1771. They were undoubtedly two of his children.

At this point I digress to speak of an erroneous impression given in Baldwin's Calendar of Md. Wills, Vol. II, in regard to the will of John Smallwood, dated Mch. 20, 1693, probated Aug. 6, 1694, Charles County. Baldwin represents the testator as naming brothers ——— Prayer, ——— Bayne, and ——— Ledstone. The dash before each name suggests that these are surnames and that they are not brothers of the blood. But I have examined personally the records at Annapolis and am able to declare that in these records there is no dash prefixed to these names. Nothing can be more certain than that the testator had brothers Prior Smallwood, Bayne Smallwood, and Ledstone Smallwood, and they were the sons of Col. James Small-

wood. (Another John Smallwood is given by Baldwin as having made will Nov. 6, 1695, probated Jan. 3, 1695-96. I have not personally examined the original of this will but I am informed by a reliable person that Smallwood here is an error for Smallwell.)

The General certainly had other sisters (possibly also one brother) aside from the one who married Col. Grayson. Lucy Heabard Smallwood who married John Truman Stoddert was a sister of Gen. William (see Charles County Wills, Liber AF No. 7, folio 553). The writer has corresponded with descendants of this marriage. Priscilla Smallwood who on May 29, 1770 in Charles County presented partial account of Bayne Smallwood was undoubtedly another daughter of Bayne and sister of William. Eleanor Smallwood who on June 14, 1769 signed Bayne Smallwood's inventory as next of kin was almost certainly another daughter of Bayne. The writer suspects that Lt. Heabard Smallwood who served in the Revolution from Virginia was a son of Bayne Smallwood. Bayne Smallwood, father of the General, married a Miss Heabard of Virginia. Heabard Smallwood is not found after the Revolution and he probably died young, sine prole.

The General died unmarried. This fact should set at rest the claims of direct descent from him, which claims have come to the writer's attention.

NOTES.

The National Genealogical Society Quarterly. Two issues of volume 12 and two of volume 13, are devoted entirely to Kentucky marriages, Jefferson County, 1800 to 1826. By Rev. William Jefferson Gammon. A complete index is appended to the four issues.

Revolutionary Records of Maryland, Part 1. By Gaius Mar-

cus Brumbaugh, M. S., M. D., and Margaret Roberts Hodges. 1924. Pp. 56.

This volume contains the lists of those who have taken the "Oath of Fidelity and Support," in Montgomery, Washington, and Frederick counties. The running caption is "Patriot's oaths of Fidelity and Support, 1778." This should not be taken too literally, as many of the oaths were taken under duress or threat of prosecution. It is very difficult to draw a hard and fast line between Patriots and Tories. Pages 25 to 36 are devoted to Prince George's County records of loyal civil service from 1775 to 1783. The book is illustrated with fac-similes of documents. In spite of the limitation mentioned above, it is a valuable addition to our printed archives.
